he was named as a candidate on the Democratic ticket. He came to the office on July 18th and 19th to pick up this literature, and on September the 5th the election campaign was launched officially, ladies and gentlemen.

He claimed that he fought Communism for twenty-five years. I asked him a question: Did you ever introduce a Bill to get that legislation? He brought in a big file, gave [fol. 2456] me that file—Mr. Cercone will show you—and goes through that file. And what does he dig out? Resolutions that he wrote up day-before-yesterday, or maybe at some legion convention—I mean the day before he testified. He knew it would be handy. And I challenged the prosecution—here's the record of the Legislature for '29 and '31—show me one bill that Musmanno introduced on that question. Then I asked him: "Well you introduced a lot of resolutions at legion conventions and other places against Communism; did you ever introduce a resolution against Fascism?" What did he answer? "No." "Did you ever introduce a resolution against the Nazi Bund, even though we fought against the Nazis in the last war, and Italian Fascists?" And *he* answer was, "No." to that question. Then I asked, "Did you ever introduce a resolution against the K.K.K.?" He says, "Oh, we have ample laws to take care of that." And people get lynched, and they get bombed, because they are Negros; speak for their rights, and this man says, "We don't need any more laws to take care of that."

Then when the books were taken away he wanted to have the place padlocked. Don't you see? He's going to do it, have the office of the Communist Party padlocked. Then he goes ahead, when he had me dragged into the court room and all of his stooges, like Sherman, got up here and lied [fol. 2457] on the stand that I said certain things on the radio——

Mr. Cercone: If Your Honor please, I object.

Mr. Nelson: He said that in the preliminary hearing; he got up and lied here. Why didn't you put him on the stand this time, Mr. Cercone, so I could have torn his mask off? You knew I could have.

He is the other star performer behind this prosecution. They put a bail on me of $100,000.00, ladies and gentlemen,

and put me in this County Jail, kept me there for thirty days. He used this stuff for his publicity and election campaign. He got other judges to agree with him and cut it down just to $50,000.00. See, that's reasonable. And then the Supreme Court finally tells them, "You're acting wrongly, illegally." And the bail was cut down.

Then I asked him, ladies and gentlemen, you recall a flat denial: "Were you ever a candidate on what was known as the 'Mellon Ticket'?" In the issue of the Pittsburgh Press, Sunday, March 4, 1928, it says: "W. L. Mellon decided against another man by the name of Easton and put Michael A. Musmanno as a candidate in that legislative district." [fol. 2458] Ladies and gentlemen, here he said, "No." Did he have to lie about a petty thing like that? It adds up: The more lies, the bigger the lies, somebody is more likely to believe them. And that is the man who, on the basis of prosecuting and persecuting me and my friends, climbed up to the higher stages in the Courts of our State.

My contention was that he used this prosecution here of myself and my friends in order to climb up politically; that's the reason. His reason is not thirty-four pieces of silver, which the other stools get; he is a bigger one who uses myself and my friends to climb politically.

And, ladies and gentlemen, he has written a book in which he proposes that he run for President of the United States. Did you know that?

Mr. Cercone: Your Honor, I object. That is a complete lie.

Mr. Nelson: That is not a lie. I will produce it here and you will eat your words.

Mr. Cercone: That's a lie.

Mr. Nelson: You will eat your words.

The Court. The book was not offered. You inquired [fol. 2459] about it and he denied it. You haven't any right to assert the fact, Mr. Nelson.

Mr. Nelson: It is a fact, Your Honor, and any decent person who read the book knows it.

The Court: It is not a fact in evidence.

Mr. Nelson: It is called, "Deep is the River". It was written in Germany while he was over there in the A.M.G.T. Not many have been read here, fortunately. People would

have laughed at the idea. This judge and a lawyer was reversed five different times. I am not going to repeat them, ladies and gentlemen; you heard it in the cross examination. I did the best I could. In the padlock case, in the bail case, in the Schlesinger case, on the Roth case, on the search and seizure, he was reversed by other courts, by other judges in this court. I say a man like that is a menace, he spreads fascism. He lies and he is the one that is going to interpret these books here that the prosecution says he is a expert on—just like Hitler would interpret the Fourteenth and Fifteenth Amendments, that is the way Musmanno interprets these books. And you are supposed [fol. 2460] to go by what he says, because he is a judge.

Ladies and gentlemen, not one iota of his testimony can be believed, because it is biased, it has got a political motive, it is dishonest, untruthful, and it is based on lies.

Ladies and gentlemen, of the Jury, they had two more witnesses here from New York—Patterson and White. I am sorry, ladies and gentlemen, I won't take too much time on these. They have testified to things that are supposed to have happened twenty-one years ago. Now if that is the best thing the prosecution can do, I think they ought to admit they have no case against me. Add to that the fact that this man Patterson testified in another case in which the Trial Examiner says: "Two witnesses were called by . . ." so forth and so forth ". . . against the Communist Party. The first one was Leonard Patterson. However, the testimony of this witness, particularly on cross examination . . ."

The Court: Mr. Nelson, I have to stop you on that. I thought I told you that you may not read any of the comments in any other investigation or of any other judge concerning testimony of these witnesses.

Mr. Nelson: Your Honor refused to throw out their testi- [fol. 2461] mony, and I could not confront them with this because I didn't have it at the time. I don't know how to do it. If I was a lawyer, I would.

The Court: You would not have been permitted to do it anyway.

Mr. Nelson: Couldn't I have asked them questions?

The Court: You couldn't have asked them anything about the ruling of that particular examiner.

Mr. Nelson: I didn't say the ruling.

The Court: Or his opinion or his findings.

Mr. Nelson: I asked him, "Is it true or not true that in that case——

The Court: No, no. The credibility of this witness is for this Court and this Jury, not what somebody else thought. I told you that before and I will not have you reading from it what he thought of their testimony, his [fol. 2462] opinion. What this Jury thinks of them is their opinion, and their opinion governs.

Mr. Nelson: That is right, Your Honor. But what I want this Jury to know is that this man lied in the other case.

The Court: No. You say he lies; that does not mean it is correct.

Mr. Nelson: You won't permit me to go ahead and expose them?

The Court: Not in this fashion you cannot. You can argue on the testimony here, not what somebody else thinks of them.

Mr. Nelson: A very highly respected man presided over that trial.

The Court: That is quite immaterial. You may not read from any of his comments concerning the credibility of the witnesses in this court room. That is solely the right of this Jury. They need not be aided, or are not [fol. 2463] entitled to be aided by the opinion of anybody else outside of this court room.

Mr. Nelson: In that case, Your Honor, I would just as soon have a break now, if I can.

The Court: All right, give the Jury a fifteen-minute recess at this time.

(Short recess.)

The Court: Continue.

Mr. Nelson: Now, ladies and gentlemen, I want to comment briefly on the testimony of the only witness that they produced in this court room who spoke about anything that is within the period, or supposed to be within the period

of the indictment—the only witness—that was Cvetic. There are literally hundreds of people in this State who know me and know my activities. They haven't found any decent person to come in here—they found a professional testifier, an agent, a man who has made a racket out of testifying and making money out of it. And the whole case, if we are going to be technical about it, ladies and gentlemen, hangs on his testimony. I am not a lawyer but I believe that to be true—the only person who spoke [fol. 2464] about things and acts ostensibly that occurred within the period of the indictment.

This is very important, ladies and gentlemen, I want to locate the right page. Oh, here it is.

Now, ladies and gentlemen, he testified to a certain discussion, if you remember, concerning the matter of a reference to the use of machine guns that I was supposed to have participated in. Now he testified twice on this question, ladies and gentlemen, and let me show you the words of both of these instances when he testified. I want to show you the words are exactly like a record. If you will ask me to repeat any single thing the way I did this morning, I am sure I could give you the gist of what I said but I can't tell you that I could say the exact same words. No one can do that, except some one who has memorized it deliberately, the statement that he has to produce, in order to deliver his testimony.

Now he was asked—he said that: "When I came back from Washington, from the Un-American Activities Committee hearings, I came to the American Slav Congress," if you recall, "and I found him there with another man by the name of George Wuchinich." And he said that, "I didn't give those fellows down in Washington so-and-so, that this man George Wuchinich—what he said here: We should get machine guns and mow those B dash, dash, dash down." And then he said I said, "Not yet, George. We are not ready for machine guns yet." Now this was [fol. 2465] on this stand when you heard it.

Now I show you—and this I asked him about on cross examination—what he said previously on the matter when he testified. Listen to this. He says we laughed about it, about the discussion in Washington, and that Wuchinich

said we should get machine guns and mow those B. dash, dash, dash down. The words are exactly identical in each case. And I am not a lawyer ladies and gentlemen, but I understand that on cross examination when a witness repeats like a parrot you are sure he is telling a lie. And that's serious business—somebody wants to use machine guns to cut down congressmen. That's what he said. Can you beli-ve that story, ladies and gentlemen? You can't believe that story.

When he appeared before a congressional committee to testify, ladies and gentlemen, he came out on cross examination—I asked him a question, on Page 1456 of the transcript: "Did you report this when you testified before a congressional committee . . ." mind you, "about my being ready to shoot down congressmen?" And this talking to them, that he doesn't tell them, ladies and gentlemen. But it becomes convenient for the Musmannos and the Cercones and the Shermans to have it brought out in this court room now. . . .

[fol. 2466] Again, ladies and gentlemen, I call your attention to another piece of testimony by this witness who makes a racket out of telling lies. Now watch again the parrot—it was the identical words in this trial, on this stand before you, ladies and gentlemen. He reported, he made a statement here about my expression ostensibly regarding the discovery or announcement about the atomic bomb in Russia. Listen to the words. In this trial he said, "We have the A Bomb or Atom Bomb now, and the enemy will not be in such a "gd" hurry to start a war now." That is what he said here. What did he say at that time? "We have the Atom bomb now, and the enemy will not be in such a 'gd' hurry to start another war." Exactly the same.

Incidentally, ladies and gentlemen; when he spoke before a congressional committee, where he reported there incident he said took place at a meeting, here he said it took place on Liberty Avenue and Smithfield Street. Now just think about those two statements. That is the whole crux of the prosecution's testimony coming out of this stool-pigeon, paid agent, and they expect you to believe this stuff that sounds like a record. And you recall I said, "Put

another nickel into him and it will come out, don't worry." When I said that I wasn't jesting, kidding. That man repeats like a record and he gives what the prosecution wants him to give.

[fol. 2467] Then, ladies and gentlemen, the prosecution's case rests on the big theory that they have, that the Communist Party and I are controlled by some foreign power. On this stand he stated that we had the Communist International, a cominform, which is the top body of the CI. This is in the present case. You recall it, I am not going to take too much time on that. But it is very important to my defense, ladies and gentlemen. I want you to bear with me on this. When he was asked the same question by Congressman Kearney, on Page 1720: "Q. Where are your orders taken from? A. From the National Board." When Congressman Sweeney, on Page 1721, asked him the question—it was brought out here, you recall—"Where do they get their policy from?"—meaning the Board—"I don't think I could answer that." That was in 1950, just soon after he went to testify. But two years later he can tell you on this stand that we get orders from the cominform. You can see, ladies and gentlemen, this man can fit his testimony to suit his purpose and the purpose of the prosecution. So that is another lie that even a blind man can see, ladies and gentlemen, if he wants to. And that is their star performer—Cvetic.

You recall, ladies and gentlemen, I asked him a number of questions about leaflets and stuff that was put out here by the Party, literature, that went out to people—and we [fol. 2468] spe k of the "people" since we have no other way of reaching them—he admitted that these leaflets covered a whole range of matter pertaining to labor, negro people, civil rights and so forth. Even he had to admit that. I am not going to trouble you too much with that because you recall the testimony of my witness Carreathers who spoke on that.

Now it is my contention, ladies and gentlemen, this man had a purpose in distorting, as additional testimony of his will prove. You remember on this stand—let's get it down so there will be no question about it—just a moment, I beg your indulgence until I find these pages. You recall, ladies

and gentlemen, I asked him a question: "What about this statement you made here that I want to wipe out one-third of the population of the United States?" This is what he testified to here. Then I asked him the question: "What did you say in the other hearing, another trial; did you speak about the people of the United States?" He had to admit that at that time he had a discussion with another man, not myself, and that the discussion took place around Czechoslovakia, that it meant that one-third of the population of Czechoslovakia had to be wiped out. But here he comes on the stand and he states that I said that it is going to be one-third of the population of the United States that have to be wiped out—before a Congressional Commit-[fol. 2469] tee, ladies and gentlemen. And he always speaks of "one-third", I don't know why. In each one, one-third of the population is going to be wiped out. That time he said that we are going to wipe out one-third of the Chinese population. Now how can you believe either one of these statements, ladies and gentlemen? How can you believe either one of them?

It suits the prosecution, they say: Nelson, with force and violence, so let's tell this jury he's going to wipe out one-third of the people of the United States, not China, because you may not be concerned with that. So they tell them, not China, not Czechoslovakia, but the United States. And that is what this seal does, goes right through the loop and that is the answer that they wanted and that is the answer they got.

Just to wind this up, ladies and gentlemen, concerning this question of liquidation of the population, one-third of the population of the United States, "Did you ever testify before a Congressional Committee, the Committee on un-American Activities, on this question about wiping out one-third of the American People? A. No, sir." No, sir, they weren't concerned with Nelson over there. They had bigger stakes in mind. But here this prosecution wants to rig me, so the stoolpigeon, paid testifier, gives them the answer that they want.

Then I asked him the question: "May I refresh your [fol. 2470] recollection, on Page 1257 of the transcript, on another question before the meeting which was held, a

meeting on the North Side, you stated 'We are going to wipe out the biggest population, liquidation of population, the peoples enemies in China since 1927.'" This is what he testified to in the meeting on the North Side—he says Ukrainan Hall, and I don't know of such a Hall—but that is what he said. But at that time he spoke about wiping out one-third of the Chinese population, not Americans. But here, that is what is needed; not the other, so you get it.

Now you recall this man lived at the William Penn for five or six years. In previous testimony he stated he was getting as much as $95.00 a month from the FBI. Can any person live on what he makes on an average job and live in the William Penn at $110.00 a month, as he testified to? Ladies and gentlemen, my contention is that he was the stool of the employers in this City, and the Chamber of Commerce; and he was making repors to Mr. Troy who was the head of the Chamber of Commerce, who owned the William Penn Hotel, and he was living there gratis, believe me. He says he was getting $95.00 a month at that time; later on he was getting $85.00 a week. Even on $85.00 a week it is not so easy to pay that kind of a rent. Where is the rest of the expenses? My contention, ladies and gentle- [fol. 2471] men, is that he is labor spy and he was a stool on the Unions before he was ever asked to stool on anybody else. And he, in 1943, when the draft came along and he would have been drafted, he settled for a job here to stool on us and on the Unions. And now he becomes a hero for some people. He won't be long that, I'll tell you that much.

Then this agent testified about secrecy in the Communist Party. You remember he said there was a secret meeting or convenion on the North Side where I was introduced to the membership here. After a lot of hammering he finally admitted there was a closed convention where only delegates attended.

And you remember Mr. Seibel's testimony here, the Librarian who has custody of that hall, he said the Communist Party was renting that hall for ten years, and he rented it to them every time a man came down to represent it. And he gave the record here to the Court that on July 9th and 11th there was a convention of the Communist Party of Western Pennsylvania in the North Side Carnegie Library.

And he testified to that, and he sent the letter to the Court confirming that. And this man tells us that it was a secret convention, underground convention and so forth.

Now, ladies and gentlemen, one of the big things that he testified to was a meeting on Forbes Street, in which I was one of the participants and made a report. His statement [fol. 2472] was that, ladies and gentlemen, that I quoted from the History of the Communist Party of the Soviet Union and that I said, "overthrow the government, overthrow the government by force and violence," and so forth. Now, ladies and gentlemen, he said the same thing about a school that was to have taken place, which he said he was a student in, and he said that every time he came into class, Bill Albertson, one of my co-workers and a friend of many years standing, taught this class, and every night—every night, mind you—when they had a class, and it lasted three months he quoted one thing: Overthrow the government. Overthrow the government. Overthrow the government. Now the reason Cvetic does that is because his mentality you could squeeze into a nut and he can't improvise much further. If it was Musmanno, he would embelish it, he would tell you something else about it. But this is just a little Cvetic. And when I say "little" I don't mean physically; I mean mentally as a man. If they want to bring out his testimony—and I asked the Court that the record be brought out, there were recordings of everything that went on in this hall for five years—if it is so damaging, bring it in here, ladies and gentlemen, and let's see if there was any such words as that spoken by me or by anybody else, about overthrowing the government of the United States. I am ready to face the music, let them bring the record out. They haven't got such a thing, but they got a little stool [fol. 2473] who can get up here and jump through the loop every time it is brought up to him like this.

My witness, Mr. Carreathers, told you that we don't believe in such a thing, we don't teach such a thing. And so did my witness Doctor Aptheker say the same thing. And those men are men of integrity, they would not back down any more than I would when it came to telling the truth.

Whose testimony are you going to believe? Men that make $34.00 a day and a mess of porridge every time they

testify, or men, upright men with dignity and principles for which they are ready to give their lives. That is the question, ladies and gentlemen.

There is another little fable spread here by this little Cvetic. When I spoke about his head, ladies and gentlemen, I had a reason to speak about it. He gets treatments by a psychiatrist and not for a heart condition as he claimed here. That is something not everybody knows. Even the layman knows that when you have a heart condition you go to a heart specialist. But he says he was treated for a nervous heart. For a nervous head, ladies and gentlemen, that's what he was treated for. And that is the star performer here, a man who beat up his sister-in-law, broke her wrist——

Mr. Cercone: I object.

[fol. 2474] Mr. Nelson: And you can't say that wasn't brought out.

The Court: And we struck it out from the record. It is not a part of the record and not a basis for any argument on your part, Mr. Nelson.

Mr. Nelson: Now, ladies and gentlemen, this man testified against twelve people, that he admitted on the stand. Each time he got paid $34.00 a day. He testified against a woman on relief by the name of Toni Nuss. They kicked her off relief. He testified against a school teacher. After eighteen years of loyal service, this man's testimony was believed and she was fired and ostracized, because at that time he was a big hero. He testified against Nathan Albert, because this man believed and wished to do away with discrimination at the Highland Park Pool. And his testimony, in part, was the main thing that convicted that man. He testified against a New Kensington glassworker who worked for forty-five years in the plant, and he got him fired off the job—a man who has a sick wife, in a dangerous condition. He testified against workers in Crucible Steel and admitted—he started to saying that "The company asked me to testify" and then he corrected himself and said the Union [fol. 2475] asked him to testify. But the first statement is the true one, the company asked him to testify.

And he testified against a negro worker who worked for twenty-seven years at Isabella Furnace. Just when this

man was going to be transferred, after twenty-seven years working as a laborer, and put on an openheart furnace where he could make a little more money, this scoundrel Cvetic fingers him and he gets fired—even though he had a son in service at the time. And Cvetic got the cash.

He testified against a lawyer who defended me in previous instances by the name of Schlesinger. Then he and Musmanno ganged up to go have him arrested again in 1951, just when Musmanno was running for the Supreme Court, during the Summer of 1951. And who was the star witness? Cvetic. This case was thrown out by three judges who heard it, ladies and gentlemen. By this time his stuff was wearing thin.

He testified against four or five men in New Kensington over a picketline fight of some sort, a minor thing. Those men got three years in jail on Cvetic's testimony, ladies and gentlemen. And then he had to admit on the witness stand that he got paid for it. After that man's business was ruined, driven out of existence, his wife had to sell the furniture, her kids had to go out and beg, borrow and so forth to get along.

[fol. 2476] Mr. Cercone: Your Honor, he knows this stuff isn't in the evidence.

Mr. Nelson: It is in the evidence.

Mr. Cercone: Well, I don't know what you are talking about.

Mr. Nelson: It came out on cross examination.

Mr. Cercone: We object to all this.

The Court: I think many of the statements are not in evidence. There was some reference to the case there, but I think for the most part the facts are not in evidence, Mr. Nelson.

Mr. Nelson: Just a moment, Your Honor.

The Court: I may be wrong, and I will stand corrected if I am.

Mr. Nelson: I am sorry, Your Honor, it will take me just a minute to locate this. I was pressing him, "Did you [fol. 2477] testify in the New Kensington case?" He tried to crawl out of it. And after I pressed him for some time, I asked the Court: "Your Honor, this is a paid witness,

I think I ought to get this answer from him." And the Court said: "He has admited it."

Mr. Cercone: Admitted what?

Mr. Nelson: That he testified against him.

Mr. Cercone: Where is one word of what you told this jury, in the testimony?

Mr. Nelson: Page 1580—look it up. I am not going to do your research work for you.

The Court: All right.

Mr. Nelson: You got the whole D.A.'s Office to work for you.

He admitted testifying against Harry Truecart and four other men, and they were convicted. That is admitted by him. And the Supreme Court reversed that, do you know that, after they served ten months in the County Jail, eat[fol. 2478] ing the slop down here. Yes, ladies and gentlemen. You want them to dig it up, go ahead dig it up. That's the star performer.

He admitted testifying against one of the District Attorneys in this office—Mrs. Matson. You want the pages? Pages 1573, 1574, -75, -76, and -77, so you won't have to do any research work.

When I asked him how much money did he get for testifying against Mrs. Matson, he didn't know. "Did you get $5.00?" "I don't remember." "Did you get $200.00?" He didn't remember, ladies and gentlemen. But he remembers exactly what somebody else said two years ago—and if it is necessary, fifty years ago, before he was born. And, ladies and gentlemen, that woman, too, was subjected to persecution and hardship because of this man's lying testimony. So that's the character of the man that he is—the key star performer of the prosecution in this case.

Now, ladies and gentlemen, my contention is that several men with evil intention, other than Cvetic, ganged up and are using this man's peanut brain and his mouth to convict innocent people. He admitted on the stand, ladies and gentlemen, that he works with a lawyer by the name of Harry Allan Sherman. Apparently he seems to be on the outs with him, ladies and gentlemen. And that lawyer admitted on the stand here, in another cross examination, [fol. 2479] who didn't appear this time, but he admitted

he got thirty per cent of the cut of all the proceeds of the Cvetic Enterprise. Another man who got money out of it was Mr. Moore, a newspaper man. Another man, the magazine writer by the name of Tony Martin. He admitted on this stand, ladies and gentlemen, that they were getting a cut from his dirty proceeds and their criminal enterprise. I call it: They are getting blood money and they are. He admitted he gets money from television, radio broadcasts. He admitted he got twelve thousand five hundred for the motion picture. He admitted he got six thousand five hundred for the articles in the Saturday Evening Post.

Ladies and gentlemen, I contend that this man is in the hands of and in connivance with Harry Allan Sherman and others in the ABC, whose job it is either to make money or to make political gains for themselves and to rise politically. Both of these men, Cvetic and Sherman, appeared before the Grand Jury to testify. Well, not having anybody else there, these men swear on the stack of bibles that what they say is true. Naturally, the Grand Jury especially when a Judge comes along (Musmanno) and swears before that Jury that they are saying the truth, they can cook up a case like this as easily as rolling off a log. That's what they have done.

[fol. 2480] I contend that they are doing it for these evil purposes, selfish evil purposes, to make money and to slander my Party and myself, my minority organization, distort its views just in order to be able to grind out more blood money.

Those are the witnesses of the prosecution, ladies and gentlemen, briefly: Musmanno, Crouch, Cvetic, Patterson and White—all in the game to make money or political capital. Can any Jury, can any decent human being believe their stories? How ambitious Musmanno is—it's well known to everybody. Why in 1927 he had the audacity to debate a great man, Clarence Darrow, as to whether or not evolution should be taught in our schools. Musmanno said, "No."

Mr. Cercone: Your Honor, is this in the evidence?

Mr. Nelson: He is just a big-headed person. In the papers on his——

Mr. Cercone: That wasn't a debate at all.

The Court: I do not recall it being mentioned in the evidence, Mr. Nelson.

Mr. Nelson: And Musmanno has a virtual control on certain politics in this area. Three of his family rela- [fol. 2481] tives are on jobs, on payrolls, including Cercone—

Mr. Cercone: I didn't get my job through my uncle, don't worry.

Mr. Nelson: No, I am sure you didn't—you got it by your brains—haa.

Mr. Cercone: That's all right, it's not a sick brain like yours.

The Court: All right, gentlemen, limit yourselves to argument to the Jury and not between yourselves.

Mr. Nelson: There is a case of nepotism here, ladies and gentlemen, where these people are using politics to advance their own relatives.

Mr. Cercone: Your Honor, I don't think I have to put up with this from this character. I worked hard in my own life to get where I am. I don't think this character should be able to say that now.

The Court: It has been brought out before the Jury, your relationship with the witness, and he is criticizing [fol. 2482] the witness, attacking his credibility and charging nepotism. I can't protect you on that, it has been brought out and he has a right to argue about it. You may answer him in such a way as you see fit, Mr. Cercone.

Mr. Nelson: Well, ladies and gentlemen, compare their witnesses and the stake that they got in this and the evil intentions behind their game, with my witnesses, and you will see the difference between day and night. I could have had more witnesses, ladies and gentlemen, if times were what they are, if people weren't persecuted if they appeared on the stand. But I limited my defense, as far as witnesses go, to one expert on theory, who I think is an expert and told you the truth; and the other one who spoke about local activities, who told you the truth also. And they didn't speak for $34.00 a day, nor for a thirty per cent commission, or forty per cent commission, or for a job in the Supreme Court, or a Judge in this Court. I want you

to weigh that when you come to discuss the case that is now before you.

Ladies and gentlemen, this kind of a case would be impossible in normal times, if it wasn't for this witch-hunt that we have right now in our Country, this anti-Commu- [fol. 2483] nist hysteria that has been deliberately planned and fomented.

We had a witch-hunt in our Country once—in our Country—in fact, it goes back to the days of Salem, Massachusetts. At that time if any body wanted to get even with somebody else, all they had to do was to swear that they saw so-and-so's wife riding on a broom through the air. What did they do? Innocent people were buried, murdered. On whose word? Ignoramuses and fools and liars. Does anybody see witches going through the air these days? Yes. You get them through the theater, through the radio and the press. This is the modern version of a witch-hunt, which also rests on ignorance and prejudice. That's their whole case; it rests on ignorance and prejudice, and they think the people are too ignorant to see through their lies and through their lying witnesses. The means of propaganda these days, ladies and gentlemen, is in the hands of those sixty families. Sure, you have freedom to have a newspaper, but how many working people have a newspaper. How many can put it on a radio station, put up a radio station? It is the banks and the millionaires who have that. And who writes the copy? The man that writes the copy for that paper knows what the boss wants. If he doesn't write what the boss wants, he's through—just like Cvetic will be through if he didn't tell on this stand what Mr. Cerone wants. These are the people who [fol. 2484] have whipped up this Twentieth Century hysteria against people who want to make criticism of wrong things that go on in our society. I am one of those today. They don't have to say, "Nelson rode on a broomstick." They say, "Nelson said overthrow the government. Nelson said force and violence, use machine guns." That's the modern version of a witch-hunt that we witnessed right here in Pittsburgh, right here in this court room.

And who are the so-called witches today who performed as witch-hunters? It is the Crouches and the Cvetics and

the Musmannos. They make blood money even if decent people hang, just like the ones did in the early days of Salem in the Seventeenth Century in our own Country's history. So don't say there can't be a modern witch-hunt; they occur from time to time until people begin to see through it and stop it.

They are capitalizing on this witch-hunt. All you have to say is, "Nelson is a Communist," and there will be people in the jury box who won't look at me for days. That's all you have to do. That is evidence? Not what happened here or elsewhere, but the stuff that is being bred into us. By whom? By the big corporations who hire the radioman who talks, buy the man who writes the copy, buy the magazines that are put out.

Ladies and gentlemen, time does not permit and I am not going to fire you to show you who owns these papers. [fol. 2485] What did they say? Well, they couldn't even stomach Roosevelt. Eighty per cent of the papers were against him, called him a "Red". Well, just think what they are going to say about me. Did you ever see them say anything complimentary about me in the paper? No, sir. Well, that is the stuff you have been told before you came to this box, by them, through their mouths, through their organs. Then these people presume to be speaking for my Party and for me. Even if they could, they wouldn't.

Can we stop a minute, Your Honor?

The Court: All right, give the Jury about ten minutes.

(Short recess.)

The Court: Proceed. We will continue until five o'clock, Mr. Nelson; you needn't limit yourself to four.

Mr. Nelson: Well, I would urge the Court, if you can, to adjourn at four. It is rather hard and I am not well and I would appreciate that if we could end at four. I can't go on, I am tired and I would rather finish my remarks in the morning.

[fol. 2486] The Court: Well, we had planned to have you take today, and the District Attorney tomorrow, and I would charge on Wednesday.

Mr. Nelson: Well, let the District Attorney take as much

time as he wants to, Your Honor. I am defending myself and I want this Jury to hear what I have to say. I don't want to be rushed. I don't think it is fair.

The Court: Well, I took your word on it.

Mr. Nelson: I thought I would, Your Honor, but speaking from notes you never know how long it is going to last. And I had to analyze these things as I saw fit. I am not a lawyer and I am doing the best I can. I can't finish today, Your Honor, even if you went until five.

The Court: Well, if you can't finish by five, there is no use extending it and keeping the jury here until five.

Mr. Nelson: I would appreciate it. I think the jury gets [fol. 2487] tired, I get tired, and it would be more fair that we start tomorrow morning fresh, at least as far as I am concerned.

The Court: All right, continue then.

Mr. Nelson: Ladies and gentlemen, the prosecution stated that because there are other trials, other people were convicted, and they managed to pull those things in here which have no business being brought in, and by them dragging that matter in, other trials and so forth, they want you to draw the conclusion from that that because someone else in Salem was convicted as a witch in a period of hysteria, or somewhere else in another part of the State or Country, they want you to draw the inference that, therefore, you have to do what was done in other cases. That is a lowdown thing to do. I believe my case ought to be judged here on the testimony given here by their stoolpigeons, here, and not by a dozen stoolpigeons throughout the country. To follow convictions elsewhere automatically is dangerous. That's what is being done in the South, Negros brought into Court, White people sit on the jury, ipso facto he is guilty.

Mr. Cercone: Your Honor please, that is absolutely [fol. 2488] false.

Mr. Nelson: That is what this prosecution is trying to do when they bring in other cases. I spoke of other cases and I will mention a few more. I mentioned the case of Jefferson Madison and his followers, but let's get closer to home, ladies and gentlemen: Well, a lot of the old-timers in the trade union movement, about the time Tom Mooney

was framed, and he was convicted by a jury wrongly. Many people knew that our trade unions, led by McNamarra, J. B. McNamarra, was convicted, framed, and after he was freed, pardoned. It happened twenty years later. The man spent his life in jail.

You know of the conviction and execution of Saccho and Vansetti; they were convicted in a period of mass hysteria, and they are gone. And people all over the world know what a frameup that was. And even the prosecution itself admitted it years later that they were convicted because of lying perjured testimony by stoolpigeons supplied at that time by the Department of Justice, the predecessor of the FBI. Yes, they were convicted and they were burned in the electric chair.

Yes, Eugene Debs was convicted. Charlie Ruthenberg was convicted. Years later, not long later, they were pardoned. It was agreed that they were convicted by a mass hysteria and because of the political views they held, not [fol. 2489] because of any crime committed, ladies and gentlemen.

The record of history in the State of Pennsylvania is full of convictions, by the dozens. And since the prosecution decided to talk about those, we will talk about it here.

Ladies and gentlemen, it is well known that union men have been framed and convicted because they organized unions. One of the most shameful pages in our Pennsylvania History is the conviction on the basis of a stoolpigeon's testimony, a stoolpigeon by the name of McFarland, furnished by the Pinkertons, the predecessors of——

Mr. Cercone: Your Honor, I object.

The Court: Yes. I can't let you go into the trial of other cases here, Mr. Nelson.

Mr. Nelson: Your Honor, I am just speaking of convictions. I want to bring out these convictions that they were wrongfully done.

The Court: You are speaking of your opinion, and your opinions are not worth anything in this case because you have not given them from the witness stand under oath. [fol. 2490] I will not permit you to give them now in your argument.

Mr. Nelson: Your Honor, I believe that I should have been permitted to make the arguments as I see fit. I am fighting for my life and my rights, and the Court is denying me my right.

The Court: You cannot try other cases here, or re-try other cases and give your opinions.

Mr. Nelson: They have brought in other cases because you let them.

The Court: He only brought them in as a matter of cross examining as to the knowledge of this one witness on a matter that arose in New York.

Mr. Nelson: Two of them, Your Honor, were brought in here from New York.

The Court: I will protect you adequately in my charge, but I am not going to have you analyze cases that occurred [fol. 2491] in another jurisdiction about which none of us know. And we can't accept your statements, Mr. Nelson, concerning them.

Mr. Nelson: Well, anyone that read their history will know about them.

The Court: We haven't read all the history that you read, probably. I can't assume that the jury knows about it and I can't permit you to state as facts what you are arguing to them.

Mr. Nelson: Well, you may state that, Your Honor, to the jury if you wish, but let me bring out my argument.

The Court: You may argue all you want, but you can't state facts that are not in this record to this jury. I will not permit you to do so, Mr. Nelson.

Mr. Nelson: I can see where the prosecution doesn't like this kind of argument.

The Court: Whether they like it or do not like it makes [fol. 2492] no difference to me. But it is something that is not in the record to form a basis for your argument and you are not permitted to argue from another record in your argument.

Mr. Nelson: All right. I think the whole country knows about the conviction of the Scottsboro boys, who were framed in this country——

Mr. Cercone: That is the same thing, Your Honor, and we object to that.

Mr. Nelson: They were framed and freed finally after the protests of the people.

The Court: We don't know whether they were framed or whether they were freed, or whether they were even convicted.

Mr. Nelson: Well anybody that knows history knows it.

The Court: Well possibly we are not as well acquainted with history as you are, so limit yourself to the statements [fol. 2493] elicited from the witnesses on this witness stand.

Mr. Nelson: Now the prosecution has brought in the conviction of the eleven Communist leaders in the City of New York. I say, ladies and gentlemen, those men have been convicted by the same type of hysteria as these people which I could not go into and describe, or the way they are trying to frame me. They were the first victims of the Truman cold war policy. Even the CIO, ladies and gentlemen, it follows the anti-Communist policy, passed the resolution condemning that conviction and said people should not be tried under the Smith Act. Sure it was done later after the conviction already occurred. The candidate of the Democratic Party in the last election in this State, Mr. Dilworth, condemned that conviction.

Mr. Cercone: Your Honor, we object.

Mr. Nelson: His running mate was Musmanno, who would like to do more convicting. Former Attorney General Biddle, under Roosevelt, condemned that conviction. Justice Douglas and Black condemned that conviction.

Mr. Cercone: That is all objected to.

Mr. Nelson: Well you brought it in.

The Court: It was not brought in, Mr. Biddle or Mr. Dil[fol. 2494] worth or anyone else.

Mr. Nelson: Of course he wouldn't bring that in.

The Court: Well you didn't bring it in either, so limit yourself to what is in evidence; not what you make statements about now.

Mr. Nelson: Your Honor, I object to asking why I didn't take the stand. I think that is prejudicial.

The Court: I don't care what your opinions are; I am telling you that you are to limit yourself to the evidence

in this case and don't make statements on things on the outside that aren't before this jury.

Mr. Nelson: I am not a lawyer, Your Honor, and I don't know how to argue things like a lawyer.

The Court: Then take the guidance from the Court.

[fol. 2495] Mr. Nelson: I don't know how to do it here; I am doing the best I can.

The Court: I am telling you the limitations in a court room. And they are not the same limitations that you are guided by in a lecture hall. You limit yourself to the evidence that was taken from this witness stand and don't make statements concerning cases or convictions or appeals or anything of that nature that you may know about on the outside.

Mr. Nelson: He brought it in, Your Honor, and I thought I was perfectly within my legal right to discuss the case of the eleven Communists in New York. It was brought in by the prosecution.

The Court: Any time you bring in things that aren't within the knowledge of this jury, it is improper.

Mr. Nelson: You left them do it, Your Honor.

[fol. 2496] The Court: I did it for one purpose—

Mr. Nelson: To prejudice my case; isn't that right?

The Court: Well, hardly. It was brought in to attack the credibility of your witness who said force and violence was never used. And he was asked whether he knew about the case in New York. And that was the sole purpose of that cross examination.

Mr. Nelson: That is not what they were convicted of, and you know it.

The Court: That was demonstrated to the jury, and I explained what they were convicted for.

Mr. Nelson: Okay. The question was asked, Your Honor, in the words of Mr. Cercone—

The Court: Say nothing more about Mr. Dilworth and Mr. Biddle or anybody else.

Mr. Nelson: All right.

[fol. 2497] The Court: That is what I am limiting you to now.

Mr. Nelson: He said, "Do you know Eugene Dennis?" "Yes." He asked, "Do you know Ben Davis?" And then

listed eleven names of individuals. Well, ladies and gentlemen, the purpose for bringing in those names was to say to you that because in the other biased situation, the biased jury in the other place convicted those men, that therefore you must deliver the goods the way this prosecution wants it. That was the reason. That's why I brought it up, ladies and gentlemen. I don't mean to argue over these questions here. I am not ashamed of these men; I know them well. And they are no more guilty than I am. They opposed the cold-war policy and they did it at the beginning of that war. And if they were listened to then, if our country would have listened to their ideas there wouldn't have been no hundred thousand casualties now as a result of that disastrous war. They were tried at the very beginning of the cold-war policy and they were victims of that witch-hunt. That is my contention. And the jury is entitled to know my position on that.

I believe that is an honest analysis and a truthful analysis that will stand up in history—stand up. They were convicted on the basis of another Cvetic by the name of Budenz—who Mr. Cercone threatened to bring into this [fol. 2498] case. I guess he had a change of heart. I wish he had, because by this time a lot more is known about the dirty record of that Cvetic over there—Budenz.

Senator Lehman condemned that conviction in the Senate of the United States.

Mr. Cercone: That is objected to, Your Honor.

The Court: Objection sustained.

Mr. Nelson: You mean I can't mention this fact that Cercone brought out?

The Court: You can't bring in that somebody condemned anybody else from the outside; that is what I mean.

Mr. Nelson: Well, I guess he didn't bring him in here because pretty soon you would have found out why the eleven were convicted—on the perjured testimony of a liar and a faker who makes money exactly like Cvetic does. And the very people who produced him are anxious to disown him now. That's why he didn't appear here.

Now, ladies and gentlemen, there was a lot of talk about secrecy and so forth. I have already mentioned that there [fol. 2499] are many other organizations that have mem-

bership meetings, not in the open, open only to members. They are open only to members, like the Masons, the Knights of Columbus, Macabees, Odd Fellows, Elks, Unions—all unions have Sergeant at Arms, and only members are allowed in, except on special occasions. And that becomes a big secret over there and a big weapon of this prosecution.

May we stop here, Your Honor?

The Court: Very well, we will recess until tomorrow morning at nine-thirty.

(Court adjourns at 4:00 o'clock P.M. to Tuesday, January 29, 1952 at 9:30 A.M.)

[fol. 2500] Tuesday, January 29, 1952, Pittsburgh, Pennsylvania.

(Court convenes pursuant to recess of yesterday, at 9:30 o'clock A.M.)

Morning session

The Court: Proceed.

Mr. Nelson: Ladies and gentlemen of the Jury:—Yesterday as I finished I was talking about the activities of the Communist Party. And what were some of the things that we did really do in this area: and what I did myself; what some of the witnesses have done. And you recall my emphasis and the explanation about what were some of the things we did. And I was about to conclude with these points.

I just want to refresh your recollection on that. One of the ways that the prosecution distorts our views in this trial perhaps can be best exemplified by the way they attempted to treat our position, our Communist Party's position in relation to the Negro question. You recall their witnesses testifying to the effect that the Communist Party uses the Negro question. You recall the answer of my witness, defense witness, Doctor Aptheker, a scholar who perhaps is one of the few in this country who made the [fol. 2501] deepest study of that question. He is one among the few—certainly the outstanding white person who has made a study, a life-time study of this question.

and whose integrity is beyond question; who is already, although he is only thirty-six years old, written books—you saw at least eight or ten books and pamphlets on the question dealing with history and so forth. And when the prosecution brought his books into this court they didn't introduce them as evidence, ladies and gentlemen.

When I questioned Judge Musmanno about the books that were found; other books that were found in my headquarters, he says, "Oh, those other books were derogatory to the United States." You recall my asking him, "What about the three books by Aptheker that were found there?" He says, "OH, they speak of condemnation of the United States." And I said, "Isn't it true that those books speak of condemnation of slavery and slavocracy; they do not criticize democracy; they want more democracy for the negro people?" That's where Musmanno left that question, and they left it to the little mediocrity Cvetic to get up here and to say that we used the negro question.

Ladies and gentlemen, the negro people have been brought here three hundred years ago; for two hundred fifty years they were slaves; and since slavery, for nearly [fol. 2502] a hundred years, they have been second-class citizens. Every decent American will recognize that that is true. And it shouldn't be so.

When we raise these questions today: Do away with politics; give the negroes a right to vote, a chance to participate in elections, their right to vote. Those were the things we participated in and asked that they be done in our democracy. And before the civilized world we look like savages when we do no more for our fifteen million negro people than we do—we look like savages.

You say that is condemnation of this country? No. That is condemnation of a thing that exists in the country that should be wiped out, ladies and gentlemen. And when we raise these questions, as Ben Carreathers told you, when he was on the committee it fought to hire negroes in the department stores, in offices, in the buildings around here, public utilities, in the County, in the City, where they only get token jobs now. And what jobs they got was a result of a struggle of the people here, of negro and white, especially labor. They finally got those advancements to

some degree—small gains. And then these people say we used the question. I don't think negro people have full rights. Nobody could use that question, if that is what they mean.

But what is behind this thought? The idea is that they [fol. 2503] are beloved, above the average level of other human beings, they fought to stay in their place. That's the idea that Mussolini had, and that is Musmanno's idea, and that is Cvetic's idea. That is why they could speak with such indignity towards the negro people.

What did Mr. Cercone do with Ben Carreathers when he was on the stand? Didn't you see him charge the stand, run up there and shout at him? I stayed away at all times from their witnesses, and if I shouted sometimes I had a good reason to shout at these lying rats. But I was here. He didn't do that to any white witnesses. And I read the transcript of Mr. Cercone's cross examination of Ben Carreathers, and in nearly three-quarters of a day he called him "Mister" two times—two times. And then they say somebody is using the negro question.

Ladies and gentlemen, the prosecution still carries with it the stench from the slave market into this court room, and because I and my Party oppose that, they say we want to use the negro question.

The Court had to order him back from the stand when he began to shout at him.

Mr. Cercone: Your Honor, I wasn't shouting at him. [fol. 2504] Mr. Nelson was shouting at me and I had to shout at him.

Mr. Nelson: I think every juror saw it. It's in the record, Mr. Cercone.

Mr. Cercone: It's a big lie anyway.

Mr. Nelson: Now did the Court order him to get back from the stand?

Mr. Cercone: I don't know what you are talking about.

Mr. Nelson: Yes, what is convenient for you.

The Court: Mr. Cercone, you may answer that to the jury in your argument rather than at this time.

Mr. Nelson: You don't like it, do you, when I tell the truth?

Mr. Cercone: It is not the truth.

Mr. Nelson: Let the jury use their own judgment on that question.

You understand why Musmanno didn't introduce a Bill [fol. 2505] against the Klan—because he is in cahoots with the ABC. And the little vice-chairman Harry Allan Sherman, who speaks in Carnegie Library on the North Side against extending Federal Housing on the North Side——

Mr. Cercone: Your Honor, that is not in this case at all.

Mr. Nelson: He is the man that signed these things against me before the Grand Jury, Your Honor. I must bring that out. I won't be long on it.

The Court: What he testified or talked about in Carnegie Hall is not before us, Mr. Nelson. I told you before to limit yourself to what is before us.

Mr. Nelson: It was in the evidence, Your Honor, that he is getting money.

The Court: That is right.

Mr. Nelson: Out of this case.

The Court: That is right.

Mr. Nelson: I want to show the kind of a person he is, [fol. 2506] Your Honor—a degenerate person.

The Court You may not——

Mr. Nelson: He didn't dare come in this court room for me to cross examine.

The Court: Go ahead talk. If you want to talk, go ahead and talk.

Mr. Nelson: All right.

The Court: Do you want to listen to me?

Mr. Nelson: Yes, I want to listen.

The Court: Then I will rule on this matter. What Mr. Sherman talked about at Carnegie Hall is not before us. Mr. Sherman was mentioned in this case as one who is working as counsel for Mr. Cvetic and receiving a portion of the income from the sale of his information. You can talk on that to your heart's content, but you cannot bring into this case anything that Mr. Sherman did or said on the [fol. 2407] outside that is not before this Jury.

Mr. Nelson: Your Honor, my not being a lawyer, I don't know how to introduce it.

The Court: You have been informed about this many times, that you are not to place your interpretation on in-

formation that is not elicited from witnesses. You do not have to be a lawyer to understand my ruling in that respect.

Mr. Nelson: The prosecution's not wanting to have this thing brought out, I can understand that.

The Court: You should have brought it out in the evidence, and not brought out in statements being made by you now. So, henceforth limit yourself to what is in the evidence. Proceed.

Mr. Nelson: Your Honor, I don't know why you have to shout at me.

The Court: Because I can't get you to listen to me un-[fol. 2508] less I do shout.

Mr. Nelson: I have been listening to your rulings as best I could. I don't know why you have to shout at me.

The Court: I resent that, and I think it has got a motive. I resent what you are doing here now and what you have been doing, and make a note of it, Mr. Nelson, right here and now. Proceed without further comment.

Mr. Nelson: Then, ladies and gentlemen, when Cercone was ordered away from the stand, when Ben Carreathers wouldn't crawl before him as he expected him to, he raised one question against Ben Carreathers, one of my local witnesses, and that was the so-called perjury conviction of Ben Carreathers in 1940. Ladies and gentlemen, he dragged our four different items, made it appear that there were four different convictions. And I didn't have a chance to take a look at it; I didn't know the detailed facts myself. The Judge himself looked at these four different so-called perjury convictions, and the prosecutor that—that there was on case in which there were thirty people, thirty-odd people prosecuted at that time. And [fol. 2509]that prosecution took place over a matter of signatures on a petition to put the Communist Party on the ballot in the 1940 election campaign, ladies and gentlemen. And the names of the people who signed the petition appeared in the newspapers, in the Pittsburgh Press. They were all printed several thousand times. A lot of papers were printed. A lot of people didn't realize that this was going to happen. And what did the employers do? They called these individuals in, "Come in here." They called

them in the office—"Did you sign this thing?" And what happened? Scores of these people, under fear and intimidation, were brought in here and they stated they didn't know what they signed.

Now you heard Ben Carreathers state that anybody that signed his petition certainly knew what he was signing, because he was well known for years as a Communist. He never denied that. Yet these people, under pressure of loss of jobs, fear, intimidation, stated something different. And ten or eleven or twelve people went to jail for it. That's the so-called perjury, when politicians want to keep my Party off the ballot. That only goes to show you how much democracy there is for working people and how limited it is these days, how many politicians can use every avenue to keep the working people from advancing whatever ideas that may have. You may not agree with [fol. 2510] those ideas, but we had a right to do that, and they shut the door. And now they talk perjury in this court room—perjury.

A year later, ladies and gentlemen, a similar case in Reading was reversed by the Supreme Court.

That was brought out, Your Honor, I believe.

The Court: We ruled it out, Mr. Nelson. We ruled out that Mr. Carreathers might not testify about any other case.

Mr. Nelson: All right. It suits the prosecution not to bring these things out.

Mr. Cercone: It has nothing to do with it. It is not in the evidence.

Mr. Nelson: I understand that. I understand that.

Now, ladies and gentlemen, the prosecution is going to have the last word in this case, outside of the Judge. They will speak after I finish, and I have no chance to answer them. That's the rules in this game. I want to impress upon you, ladies and gentlemen, that that is a terrific advantage that the prosecution has. He can raise things that I cannot answer. Therefore, ladies and gentlemen, I [fol. 2511] am going to anticipate some of the prosecution's points that they are going to try to point out to you, and I want you to bear these things in mind because I will have no chance to speak to you about it later.

When they raise the question of books—and that's what's on trial here, no matter what they say or what any one tells you that it isn't so, that's what's on trial—books and political ideas and political philosophies. When they tell you what these books mean, please remember that I tried to tell you that they cannot, even if they wanted to, interpret those books by understanding. And if, on that question of books and interpretation of books, there is a doubt in your mind—if there is a doubt in your mind I believe I am entitled to the benefit of that doubt. Not that you have to agree with the books or approve my views, but they say one thing through their lying stoolpigeons and their miserable experts who have the purpose in life to distort my views, then remember what my witness said on the question of books, and remember what I told you. The only place where books are tried is where Fascism is opening the door; Fascism on its way in place of democracy. So that is one point I want you to try to remember, because the prosecution's case rests on distortion of these books.

Then they will tell you that my criticism of the capitalist system is criticism of the country. You remember that I [fol. 2512] exposed that, and my witnesses explained very effectively that capitalism is a system in which we live where the big monopolies have the sway in the economic and political life, and that people have fought against their infringement on the rights of the common people all along. And when you criticize these people it is not criticism of the country, it is criticism of the minority that manage to oppose it and hold itself in power by every trick that it knows in the book. One of its most important tricks is misinformation and distortion.

And also remember this, when we speak of imperialism. American imperialists throughout the world are supporting reactionary cliques and acting against the people in these various countries, that is what I say. What we mean is that it is the big fellows who own the industries here, they also dominate or want to dominate these other places. And when we criticize these policies it is not criticism of the country, it is criticism of the administration's policy.

Likewise, when they tell you—remember this, when they quote books, the History of the Communist Party of the

Soviet Union and other books, where the question of just and unjust wars is discussed, and where in different situations, where there was no democracy, ladies and gentlemen, people state in these books that if there is no other recourse they may have to use force to stop that war. That applies [fol. 2513] to certain conditions, different than our own and that in our country where there is democracy, my opposition to the unjust and imperialist war was through democratic means. They have not shown one iota of evidence, ladies and gentlemen, that will prove anything to the contrary. The only thing they have is a lying statement of a witness like Cvetic on this question.

You will recall my exposure, through cross examination of Cvetic's statements here regarding the atomic bomb and the so-called use of machine guns. I don't even feel that I have to go into that any more because it was so self-evident that that was put into his mouth for the purpose of this here case that I feel intelligent people don't have to be shown that item any more, where he repeats like a parrot. Once you kill one-third of the population of China; next time, when it suits them, it's Czechoslovakia; the third time, when it suits them, it's the United States. How can anybody believe that kind of a nonsense? And that's their case. That's their star witness who speaks about things that were supposed to have happened within the two-year period of the indictment.

And when they bring up the subject of subversive infiltration and whatnot activity, remember the way he was confronted with that statement and had to back down, had to [fol. 2514] admit that the Communist Party legally rented that office, that hall, under its name. And the authorities, if they wanted to, could have known. And in this case we didn't have to go and ask for any permits. It is a legal right for people, when they rent a hall, to have their meetings without any further ado. Bear that in mind.

When they speak of concentration in the plants, the way they want to put on the twist that it is a terrible thing when we don't reveal our names unduly and unnecessarily—it is because the boss has the sway. We have wives and children and families we have to feed, pay the rent, buy the groceries. And we can't do it any other way except by work-

ing. That is who our members are, most of them are workers—very few others, other people in our organization. What are they going to do, reveal their names. They would be idiots of they would. It's a legitimate thing.

In the early days when we built unions in this country, workers had to do the same thing as union members. Often they had to change names to go in a different plant so they could get a job, because otherwise they were blacklisted. So remember that when they speak of infiltration.

Likewise remember my statement and the statement of my witnesses, and my explanation which I dealt with this morn-
[fol. 2515] ing, of the so-called use of the negro question. And the same way with the so-called use of the trade unions for ulterior purposes. Remember those things, ladies and gentlemen, because that is the main things that these people brought out against me. Those are the things I will have not chance to dwell on again. And I want you to bear these eight or nine items in mind.

The big danger that they claim existed about the overthrow of the government of the State of Pennsylvania—well, they haven't brought one item of evidence—one item. The Party was known for years, were in the telephone book, in an open office, anybody could find it. There was no problem about finding the headquarters. It was known, it acted in the open, it's officials acted in the open. We did no different things in the last two years than we did in the last twenty years, ladies and gentlemen. The activities were similar. We read the same books, in fact, except those that were newer.

To every intelligent person the question obviously is raised: Why burn these books now? Why this year? Why arrest people who believe in these ideas if they believed in them ten, twenty, thirty years? Why now? What evidence have they got of any overt act, so-called commission of a crime? They don't even allege it in the indictment. They don't even think they could find a stoolpigeon that could swear to something like that and make it appear reasonably
[fol. 2516] truthful.

Ladies and gentlemen, I want to emphasize these few points and hope that you will weigh these questions. I may

have left out many important things that I should say in this summation, but I am not going to dwell on these much more.

I want to make an appeal to you that you should judge this case on the basis of what you heard here. I am sure that is within my right to ask you that. And I ask you, ladies and gentlemen, you twelve ladies and gentlemen who will sit in this case and who will go over the material and evidence, not to be influenced by the "thirteenth juror". There will only be twelve of you in the box, and the thirteenth juror is someone that is not in the box physically. The thirteenth juror is bias. The thirteenth juror is prejudice, he can't weigh things objectively, where you are influenced by outside factors that are not in the case. The thirteenth juror is bigotry, narrowmindedness, which can often have an influence on the verdict in the case. The thirteen juror is fear of what people may say if you should vote against the popular demand of the prosecution. When I say "popular" I mean in quotes. The thirteenth juror is the boss for whom you work, who may be breathing down your neck and who is not a friend of mine. The thirteenth juror didn't have a chance to hear the case even to the degree I was able to represent it to you.

[fol. 2517] I know it will take courage, ladies and gentlemen, to vote to let me be free under these circumstances, but I ask you to live up to your oath and to your conscience. You twelve ladies and gentlemen should be the ones that decide this question, and each and every one of you has an independent mind and an independent conviction. And I hope you will be big enough to stand by that conviction.

You have accepted to serve on this jury as a citizen's duty. You have made sacrifices to do so. Bear in mind, ladies and gentlemen, my recourse beyond this is a difficult one—not being a lawyer, not being able to build up the kind of a case that lawyers would. In a sense it rests in your hands. Twenty years of a man's life, my life, is in your twelve people's hands—my family's, my wife and children, my friends. And beyond that, ladies and gentlemen, the bigger issue even than my life itself is the Bill of Rights and American democracy, the right to think, the right to read what you want, the right to speak.

I don't ask you—and I want to repeat, I don't ask you

to agree with my views on Socialism. I know when I first heard it I had the same background as most of you perhaps in the sense that we come from the same society, and it took me some time to understand what it means. And I [fol. 2518] didn't ask you to, not because I had no chance, but it wasn't my purpose here to tell you in detail what those views are. So I don't ask you to weigh the validity of Socialism or Communism, that's not the issue. All I ask you is to give me the right to advocate the views that I believe are right. If I commit any crime of overt-act character, there are laws for that—or any of my members. They tell you that we conspired or did something against public officials; if there is evidence that anything like that was done, that should be tried on the basis of that, not on the basis of political philosophy. If there is any damage done to a public building, that should be tried on the basis of that. But there is no evidence of that type here. They have to depend on the "thirteenth juror" idea, on fear and prejudice, on hysteria.

If you disagree with me on the Korean War, even that is not the issue. If you think it is a good war, that it should be continued, even that is not the issue. The question is: Do I have the right to say "No" and disagree with you or anyone else? That is the issue in this trial.

We have always, ladies and gentlemen, opposed heresy trials in the history of America. I mean, in the main that was the trend, that was the very fabric out of which our political ideas and our institutions sprung. We have always opposed trial of political doctrines. And now that is the issue before you. Do your want to open the door for [fol. 2519], that? That is a great issue, ladies and gentlemen—a tremendous issue.

How things have travelled far by now in a direction against the democracy can best be illustrated, ladies and gentlemen—and this was brought out in the evidence—by the behavior of Judge Musmanno during the election campaign this Summer. He was in Philadelphia for the election campaign speeches, I believe it was around July the 22nd—he stated it here but I don't want to bother looking it up now—during the primary elections. And this man, Judge of the Supreme Court, or candidate for the Supreme

Court, ladies and gentlemen, invaded my house where I live. And I say "invaded" because he was not invited. And finding me lying in bed with a steel cast on my leg which was only put on seven weeks before that, with a serious operation, kneecap removed, two bones in the leg broken, three ribs broken, shoulder dislocated and bruised up to unconsciousness when the accident occurred. My boy was almost knocked completely out—in fact he was unconscious in the accident. My little girl suffered the same way. These facts were known to the Court. Judge Musmanno knew it, because Mr. Lewis came to Philadelphia to find out and get a statement from the doctors. How can a man recover that fast, in seven weeks time, after a compound fracture? He knew I was sick and he came into my house, ladies and gentlemen, to terrorize my friends and [fol. 2520] my family, my children, in order that he can get a cheap headline in the newspapers. And, of course, they were eager to give him the headlines. Why not? He is a Communist hater—a very important thing these days.

That's the man of the prosecution, ladies and gentlemen. Remember that he is the brain behind it. He has a purpose in this case. So when you deliberate, just because he is a Supreme Court Judge doesn't make him any less—that is, he should be considered no different than any other person on this stand. Even though there are four judges arraigned here against me, lined up against me one way or the other, that should not influence you against me. The evidence should be the thing that should count.

I know there are people who will say: Well, it's not going to be any skin off of my nose if I go along with Musmanno. What's Nelson got to give me? But I don't offer anything and I know you are not those kind of people. It's the thirteenth juror that I fear most. And he is likely to say: Stay with Musmanno; it will be easier; you won't be criticized.

Well, I will leave that to you, ladies and gentlemen, and weigh that over and think it over. Bear that in mind, don't let those kind of things influence you. Yet that is why he is in this case, because they thought that was a lead-pipe [fol. 2521] cinch; bring him in; who is going to listen to Ben Carreathers or Doctor Aptheker when you can get a Su-

preme Court Judge to testify? Sure, the stoolpigeons in their testimony may not be believed by these people, but how are they going to say that a judge of the Supreme Court can tell a lie or act wrongly.

I have shown, ladies and gentlemen, where time and again he has taken the law into his own hands, which is a dangerous thing. No other judge does that. He did. And I say that is a good reason, a good sign to beware of that kind of a judge and his actions.

Ladies and gentlemen, the prosecution stated that they were going to bring out my activities in this State over a period of years. They haven't said a word on my activities in Eastern Pennsylvania. Let me tell you, I am proud of what I have done. There was a time, ladies and gentlemen——

Mr. Cercone: Your Honor, I am going to object to anything that is not in evidence.

Mr. Nelson: I will just wind up——

The Court: That is all right, so long as you limit yourself to the evidence I have no objection to the time you take. [fol. 2522] Mr. Nelson: I am quite proud of what I have done. I haven't done as much as some people. I did the best I could and know how. At that time we were in a great depression, mines were closed, factories were closed, the coal companies would take their mules out and feed them, fatten them up, and they laid off the miners. They oiled up the machinery, greased it up so it is ready for use, but they laid off the workers from the shops, and the workers had nothing to live on except if they had a little savings or borrowed from friends. It was in those days that I was one of those who fought for unemployment insurance.

Mr. Cercone: Your Honor, I am going to object.

The Court: There is evidence here that he did certain things. Mr. Carreathers testified to some of his activities, as did some of the other witnesses.

Mr. Nelson: He said he met me in Harrisburg, if you please, Mr. Cercone, on the steps of the State Legislature —the State Capitol—in 1933 when there was a "hunger march" as we called it in those days, by the unemployed

people from Philadelphia, Pittsburgh, from the anthracite [fol. 2523] region, and we came to ask our Legislature to do something about the situation.

What did we ask for? We asked that a tax be put on the rich so that when the workers are laid off they could get some unemployment insurance. That's what we asked for. And I was arrested for that at that time and tried. I mentioned that, but maybe since that is not evidence I am not going to go into it.

People thought I was crazy. And those of us who asked for unemployment insurance, they used to say: What do you mean? You want a man to get paid when he is not working? Why you're crazy.

Now we get unemployment insurance. People that don't know how this thing was brought about are getting the benefits from it when they get laid off. The Communists were in the forefront—I was—in fact I was the first National Secretary of the organization in 1930, ladies and gentlemen, that headed a campaign for unemployment insurance, when I was just an inexperienced union worker who became active in the trade unions movement in that period. Yes, I have done that.

We fought against sheriff's sales, forced sheriff's sales, because people couldn't pay their taxes, because they couldn't pay their mortgages. And we asked that the [fol. 2524] government do something about that. Look, there is no problem getting Eighty-Five Billion Dollars now for war; but in those days when we asked for a Billion Dollars for relief, oh how these papers hollered: Why that's terrible. "Socialism," they said, "that's what Roosevelt wants to introduce." Those were the activities I participated in.

Literally there are hundreds of people who know my activities. They didn't manage to find one from that whole region to bring him in here to testify against me.

Then they stated that they were going to prove that I fought for democracy in Spain. Yes, ladies and gentlemen, I was Organizational Secretary of an organization known as the "American League Against War and

Fascism." Our program called for stopping the Hitlers and Tojos and Mussolinis.

At that time the big corporations were selling scrap iron to Japan, and we said that scrap iron is going to fall back on our own hide unless Tojo and Hitler and Mussolini are stopped, ladies and gentlemen. People thought I was crazy when I said that. And you know that happened. We could have stopped that. And to prove that we could have stopped it, ladies and gentlemen, I volunteered, I left my wife and my family and I volunteered with three thousand other men, Americans, to fight against Franco in Spain—which they think is a crime—and I am awfully proud of [fol. 2525] it—to stop Hitler and Mussolini there. They were supporting Franco. I fought in that and I'm quite proud of it.

I could go on and tell you much more about my activities, but since I didn't manage to get most of it in evidence, as a lawyer would have, I got to confine myself to what I have said so far and I want to wind up this address to you, ladies and gentlemen.

When you weigh these questions, therefore, ask yourself: Would a person that worked aboveboard, known to a lot of people, read the same books that he reads now, did generally the same things that he did now, could he all of a sudden become a criminal and be tried in the Criminal Court? They haven't shown that I have done any different now than I done before. In fact, if anything, there is testimony that goes back twenty years, which was known to the authorities, if you were to believe it, and it sounds even worse than what they brought out of my activities recently. They have attempted to frame me and they have stooped as low as a snake in the grass to accomplish their aim. And as I told you, I am not the only one that they are biting at; they are biting at the fundamentals of our way of life, the American institutions and democracy. They have attacked me mercilessly; in the Press every day [fol. 2526] slanders, slanders. I am sure none of you had come off from breakfast this morning without hearing the newscasts which didn't slander me in some way or another. They just manage to twist the facts a little bit.

For instance, they stated that I attacked the jurors in this box yesterday in my address here. That's what Paul Long said this morning.

Mr. Cercone: Your Honor, we object to that.

The Court: That is completely out of this case.

Mr. Nelson: All right.

This Press has inspired attacks against me, so that a week before the trial started, ladies and gentlemen, while I was in the hospital a man invaded the hospital and attacked me on the sickbed.

Mr. Cercone: That is also objected to, Your Honor.

The Court: Objection sustained. There is nothing about that here.

Mr. Nelson: In this court room, ladies and gentlemen, I [fol. 2527] have been handicapped not only by lack of legal counsel but I have had only five years of public school education—four days in School, one day in religious school, a Catholic school—one day a week for five years. It didn't amount to as much of an education as a child now gets in two or three years of formal education. What I have learnt I learnt through interest and study on my own. But I haven't studied law, never opened a law book in my life until around this trial when I was confronted with a proposition where I had to go to trial without a lawyer. And I was sick, ladies and gentlemen, when the trial started, and I barely was able to come out of that situation I was in physically. I was handicapped both ways, physically and by lack of legal training, and I fought as best I knew how.

And if you ladies and gentlemen were in my shoes, when the prosecution brings out these monstrocities against you, you couldn't sit patiently either if you are a self-respecting man or woman, when lies are brought out against you and you don't know how to stop them, your temper would sometimes rise. You can't blame me for hating the prosecution. You can't blame me. With them it's a job and money and a racket; with me it's a fight for my life, for my principles and for American Democracy. And when I had to rise sometimes, I hope you won't hold that against me.

[fol. 2528] I have no apologies to make for my views, I want you to understand that. My political thoughts are

strong and convinced and deep-rooted. And, ladies and gentlemen, if there was nother way of living my life I'm sure I wouldn't choose it if I knew what I know now. I wouldn't choose a different course, because what I stand for will stand up in time. What they stand for will be wiped off by the broom of history. Yes, I can look any man in the face, I don't have to look at the ceiling like Crouch, who sold out for thirty-four pieces of silver. I don't have to shout for protection from the Court like Cvetic when he begins to fumble and mumble and can't answer questions. Or even like Musmanno had to appeal to the Court to protect his dignity.

Ladies and gentlemen, I stand by the leaders of my organization who have been framed the way I am. They are trying to frame me. I am not going to repudiate that even if I thought there was a chance that that would change the picture here. I tell you what I believe in. There are honest and decent and sincere devoted people for America, for American labor, and that's why the war mongers framed them. I stand by them. They committed no crimes.

You twelve ladies and gentlemen of the jury have it in your power to stop these political witch-hunts. Don't [fol. 2529] any of you think that those are matters for the upper Courts to decide, if you want to pass the buck that way—if I may use the commmon expression workers use. I believe that is wrong. You got it in your power to decide that question here—to decide that there be no more witch-hunts and that people who believe in political ideas with whom you may disagree don't necessarily have to be hung or put in jail because you disagree with them, so long as no crime was committed. And there was no crime proven in this case.

Ladies and gentlemen, don't let the Morgans and the Mellons and the Musmannos (the Three M's) run the course of our history. It is in your hands. Let me have the right to continue to advocate peace and fight for peace if I believe that is what we need. Let me continue to fight for a democratic America and for a new brotherhood of man.

The Court: Give the jury a recess.

(Short recess.)

STATEMENT OF MR. CERCONE TO JURY

The Court: You may close to the Jury, Mr. Cercone.

Mr. Cercone: May it please the Court.

Members of the Jury: We have gone through a rather [fol. 2530] unusually long case and you are to be congratulated for doing your duty and giving up the comforts of your home and listening to this case.

I just want to mention briefly, since it has been brought up in this case, my presence in the prosecution. I assisted Mr. Loran Lewis in the first case and, of course, since he has been elevated to Judge of the County Court and I had worked with the case, I was appointed to continue with the prosecution. And there is no other reason for it than just that.

Now Mr. Nelson spent a great deal of time attacking Justice Musmanno, who swore to the Information which initiated the prosecution in this case, and he went to considerable pains to inform you that I was related to him. Of course, I didn't bring that up, but he went to great pains to bring that to your attention, and it has nothing to do with the case whatsoever. I was Assistant District Attorney for three years before this case started, and I am just following my duties in accordance with the appreciation of the responsibility I feel as an officer of the Court and an officer of the Commonwealth and the citizens of this great Commonwealth. Justice Musmanno just happens to be a witness in the case, and although he does hold a high and respected position in the Commonwealth he was accorded no privilege not accorded any other witness in the case.

[fol. 2531] Now this defendant, Mr. Nelson, he is the defendant in the case. It isn't the United States Government, or it isn't the FBI, it isn't Mr. Cvetic, it isn't Justice Musmanno, it isn't Paul Crouch, or any of the other witnesses who were subpoenaed in the case. They had to come here because the Commonwealth subpoenaed them. And throughout the argument the Defense has been seeking to impress upon you that what he has been doing and teaching and advocating was merely the exercise of the rights which he says are guaranteed by the First Amendment of the Constitution. The assumption in that argument ad-

vanced by the defendant is that the rights guaranteed under the First Amendment are absolute, and that anybody under any circumstances can say anything. Of course, whether you are a lawyer or whether you are not a lawyer you know that is not true.

In this country we recognize the widest range for free speech and free expression of ideas. There is probably no country in the world, nor has there ever been, where a person can express his ideas as freely and without harrassment and without molestation. But, members of the jury, there is some restriction on free speech. In other words, a person can't falsely cry out in a crowded theater, "Fire," and cause a panic. And if anybody were killed in that panic, that man could be tried for manslaughter. And he couldn't use as an argument that he was merely [fol. 2532] exercising his right of free speech.

A person couldn't go into a hospital, against the orders of the doctors and nurses, and act boisterously so that he would be endangering the life of a critically ill person.

Mr. Nelson: It happened in my case. I think that you sent them in.

Mr. Cercone: That isn't free speech. Free speech does not protect any one in telling lies, or in slandering his neighbor. If some one threatens to kill you, members of the jury, that person could be tried for surety of the peace. And if anyone says that the government cannot protect itself against its overthrow, from violence and force, how much respect would you have for this government? How much respect would you have for your neighbor who doesn't have the courage to protect the dignity and the peace of his home? The same with the government; how much respect would you have for the government if it didn't do everything to protect the form of government under which we live?

You know the defendant argues that this is a trial of books. It is not a trial of books, members of the jury. You cannot punish a book. Steve Nelson's offense is not [fol. 2533] in possessing certain books, but in using them to urge others to commit revolution. That's his crime.

Nelson had an attendant bring in some books from the

Carnegie Library to show you that a few of the volumes that we have introduced in evidence can be obtained in the library. There is no doubt that under our great American educational system provisions have been made for the placing in Carnegie Library of books which are in themselves abhorrent to American Democracy and to American Standards, to the American Constitution, laws and the American Way of Life. The books are placed there in the library for reference purposes. You can find in that library books on murder; you can find in that library books on arson. And you wouldn't condone any group which would organize into a concerted venture of reprinting books on murder and republishing books on murder and setting up classes and studying those books as a guide to action to commit murder. It is the same thing with these books brought here by the prosecution.

At that library you find single copies; here in Steve Nelson's headquarters you find the books in scores and hundreds of copies. You wouldn't find at the Carnegie Library hundreds of copies of Joseph Stalin's Biography, hundreds of copies of the Constitution of the Communist Party, and hundreds of copies of the Soviet Spirit.

[fol. 2534] You can also find in the library books and formulae on narcotics, but that doesn't mean our laws will permit an organization to teach the use of narcotics.

Libraries throughout the world, members of the jury, contain on their shelves books on every phase of human life and human thought and activity for matters of research and understanding, but that is not what is involved here. What is involved here is the use to which these books are put. Paul Crouch, Charles White, Leonard Patterson and Matt Cvetic have told you that these books are used as a guide to action for the overthrow of the Government of the United States and the Commonwealth of Pennsylvania by force and violence.

Now the argument advanced by Mr. Nelson about the widespread dissemination of literature of this character could be advanced by every conspiratorial group ever brought to the bar of justice. Quite plainly, we are not concerned with the innocent use of books, or papers, or publications. We are concerned with the use of such materials

as an instrument of a crime. These books here are not used as reading material, they are used as weapons in breaking down the walls of democracy in our Commonwealth.

And Steve Nelson does not merely sell the books, he doesn't merely ask you to read them; he asks you to study [fol. 2535] and act on them. It is not a mere book; it is a guide to action. They take from the context of these books the guide to action of the Communist plan in this country.

You can go into a hardware store and buy a gun but the gun won't harm anyone unless you use it. While a gun remains in its holster, it is a mere ornament, but once it is whipped out and the mechanism put into operation by pressure on what is called a trigger, fire and death come pouring out of its muzzle. If a man committed murder with a pistol, he couldn't take the stand and say "you can buy a pistol anywhere you go, in any hardware." Or if a person committed murder with a knife, what kind of an excuse would it be that you could go in any store and buy a knife? You can go down to the department store and buy a scarf, and who would criticize you for buying a scarf? But a scarf can be used to strangle a person to death. And when that is done, that scarf becomes a horrible weapon. So, whether it is a gun or a scarf or a book, it is the use to which it is put that determines its potentialities for danger which exists in the use of that item.

You will note that the attendant from the Carnegie Library did not bring in any of the courses of instruction which Nelson and the other Communists taught. No, they did not have any of those at the library. And it is these outline courses and how to use these books—they have regular [fol. 2536] outline courses here to teach you how to use these books, and they go through certain books and they inter-relate and co-refer to books and how they are to be used. Here is one entitled, "Fundamentals of Marxism for Class Use or Self-Study". And on Page 1 we find this statement, that "without a revolutionary theory there can be no revolutionary movement."

Then there are numerous pages indicating the books which are to be read and these books include, of course, the Communsit Manifesto, Foundations of Leninism, History of

the Communist Party of the Soviet Union, and other books which were found in Nelson's headquarters.

On Page 6 of this Guide to Action we find: "The proletariat seizes political power and turns the means of production into state property."

And on Page 14 we find: "What is required is 'the shattering of the former state power and its replacement by a new and really democratic state'." And these are the guides or outlines that are put out by the Communists now in this country.

And on the same page: "The dictatorship of the proletariat cannot be 'complete democracy, a democracy for all, for rich and poor alike; the dictatorship of the proletariat must be a state that is democratic in a new way—against the [fol. 2537] bourgeoisie'."

It tells you that there cannot be democracy for everybody. And, members of the jury, that is our ideal in this country, where we have made great progress, and greater progress, than any other country in the world, to make equality for everybody a reality. But under the Communist system they come right out and tell you there shall be no such thing as equality. In this course of instruction they actually underscore their meaning when they say there cannot be a democracy for all. The dictatorship of the proletariat must be "against the bourgeoisie." Against, note that. And that is taken from one of these books which can be found at the library—State and Revolution—found at the library but without the instruction book.

Again on Page 14: "What is required is the 'shattering of the former state power and its replacement by a new and really democratic state.'" Shattering again.

On Page 2 they direct the student's attention specifically to the subject of revolution. And they say, "What is a revolution," they ask, and then proceed to develop the subject. And calling it a "socialist revolution" does not change the plain import of advocating violence.

And here is another Instructor's Outline For Orientation [fol. 2538] Course, which, of course, you don't find at the Carnegie Library. And there they point out how you are to use these books and how to refer to certain books, that were found in the headquarters, how they are all to be

co-related and understood as the concept of Communism. On Page 7 they come right out and discuss revolution. Now these are the outline books that are printed now and they discuss revolution. You will recall our reading from the History of the Communist Party of the Soviet Union (Bolshevik), and the quotation on how the Communists are to turn a nimperialist war into a revolution against the existing government—the same subject which Nelson read to the class. Well here it is in the Instructor's Course on Page 7, the same quotation taken from the History of the Communist Party of the Soviet Union, and which ends up with the same revolutionary appeal: "The Bolshevik maintained that a resolute struggle must be waged against them (imperialist wars) to the point of revolution and the overthrow of one's own imperialist government."

This wasn't written a hundred years ago, members of the jury; that wasn't written by some violent revolutionary talking about another country as they so weakly excuse the use of these books, but they are current material done now in this country, and referring to these books and how it is [fol. 2539] to be applied here.

So that you may not think that this is merely academic, let me quote to you from Gus Hall's speeches on this subject and other releases from the National Communist Headquarters, and all found in Nelson's office.

On July 13, 1950—1950, members of the jury—Gus Hall exhorted the Communists of the United States. One of Gus Hall's speeches here, on Page 10: "There is a need to orient the Party to be prepared for emergency mobilizations on immediate developments. We have to ask ourselves: Is the Party ready for rapid mobilization . . ."

Mr. Nelson: So? For what?

Mr. Cerecne: ". . . let us say, to organize thousands of open air meetings and rallies at short notice, in the event of an important development which demands reaching the people and winning them for quick action on one or another issue?", members of the jury. And getting back to the proposition that Steve Nelson, by quoting from the History of the Communist Party, urged the revolution on the occasion of an imperialist war.

Mr. Nelson: Wait a minute. That's in Gus Hall's speech.

Mr. Cercone: Never mind, we are getting back to what you [fol. 2540] said.

In reading the History of the Communist Party of the Soviet Union, he was urging the revolution——

Mr. Nelson: Your Honor, he is distorting this.

Mr. Cercone: Do you want me to read the whole report?

Mr. Nelson: Read what he said. You said you were going to read it.

Mr. Cercone: You want me to read this whole report, Your Honor?

The Court: No, we don't want you to read the whole report. We will ask the defendant——

Mr. Nelson: It doesn't call for a revolution.

The Court: If the defendant will make his objections to the Court, without engaging in debate with the District Attorney, or if there is anything the District Attorney is [fol. 2541] not doing properly, call it to my attention and I will correct it.

Mr. Cercone: It is a long report, about thirty pages.

The Court: It will be submitted to the Jury and they can read it then if they wish.

Mr. Cercone: Getting back to the proposition that Steve Nelson, by quoting from the History of the Communist Party of the Soviet Union, urged the revolution on the occasion of an imperialist war, which he has declared the Korean War is, let me quote to you from this book found on his desk, entitled, "The Fight for Peace and the National Groups." On Page 5: ". . . if an imperialist, anti-Soviet and anti-working class war should be started by the servants of Wall Street, it will become a sacred duty of the workers and peoples in the capitalist countries to put an end to it in a revolutionary way, under the leadership of the Communists."

What is that but an appeal to revolution? And you don't find this paper at the Carnegie Library either. This paper was taken right from Steve Nelson's desk.

And here is another publication not found at the Library, "The Theory and Practice of the Communist Party." On [fol. 2542] Page 19 they come right out and, in italicized letters, say: "The U.S.A. is an imperialist state." Which

means that if they can consider the United States is engaged in an imperialist war then it is their duty to cause a civil war here and overthrow the government. And I will show you how Steve Nelson has, on many occasions, considered the government of the United States an imperialist government engaged in imperialist wars, and according to the Communist plan was trying to start a civil war here by force and violence.

Mr. Nelson: Wait a minute, I want to ask the Court to rule on that.

The Court: I am ruling that anything that is in these papers and pamphlets or books that indicates that, the interpretation of that is for the Jury; and that the District Attorney, in arguing the case to jury, may ask them to accept those interpretations, the same as you ask them to accept your interpretation that a revolution means a peaceful revolution. He has a right to ask them to interpret it as his witnesses testified, and as he himself may interpret those [fol. 2543] passages to mean.

Mr. Nelson: Your Honor, there was no evidence brought in, I submit to you, that there was any talk about a revolution here, or that I called the Korean War an imperialist war.

The Court: Well, let the Jury recall that, Mr. Nelson. As I say, it is their interpretation of this matter which will prevail.

Mr. Nelson: That's the trouble when you put books on trial.

Mr. Cercone: Then on Page 21 of this book, "The Theory and Practice of the Communist Party", members of the Jury, they also refer to the quotation from the History of the Communist Party of the Soviet Union on the subject of imperialist wars. And, of course, this booklet also urges the reading of many of the books we introduced in evidence here.

And then there is the "Study Course on the Communist Party, the Working Class and Industrial Concentration". [fol. 2544] And we know what the Communists mean by "industrial concentration"—the placing of Communists in the basic industries there to be ready for the day of crisis and the Communist Revolution.

On Page 1 we find this quotation from the Communist Manifesto: "What the bourgeoisie produce above all, are its own grave-diggers. Its fall and the victory of the proletariat are equally inevitable."

That is what they teach in these courses of the Communist Manifesto. How the "bourgeoisie" and, of course, the bourgeoisie, you heard the Commonwealth's witnesses tell you that the term "bourgeoisie", in the Communist Party, means the American Way of Life, and the American population are to be the grave-diggers of their own way of life.

They get out these instruction courses from time to time to keep abreast of the Russian Soviet plans for world conquest. Here is a booklet on China, and it teaches, on Page 3, that the "purpose of U.S. policy of intervention" is to "stop the march of the Chinese people toward freedom, democracy and independence, and to convert China into a colony, under the slogan of 'containing Communism'." That, of course, is so ridiculous as to be ludicrous—that the United States wants to take over China as a colony. Nonetheless, in building up its campaign, to bring the United [fol. 2545] States into hatred and contempt, that is what the Communists teach, and that is what Steve Nelson, the defendant, by distributing this literature, teaches, members of the jury.

Here is another publication that you don't find at the library, called: "Notes on the National Question." And on Pages 22 and 23 it says this——

Mr. Nelson: What Exhibit is that?

Mr. Cercone: Exhibit 47.

"The revolutionary interests of the working class must in all circumstances take precedence over all other interests. In no circumstances are the revolutionary workers, defenders of the nation as such, for their ideal is not the nation but socialism."

And note particularly the language that the revolutionary workers—and, of course, that means the Communists—are not defenders of the nation for their ideal is not the nation but socialism. And, of course, socialism here means Communism. On Page 38 of this publication you will note that socialism is a synonym of Communism.

And again on Page 23 of this exhibit: "But for the revo-

lutionary workers the interests of socialism always take precedence over all national interests."

[fol. 2546] And on Page 38 it says: "We are not nationalists. We are internationalists. For us, the nation is not the highest. For us the highest is socialism, communism."

And I repeat, members of the jury, "For us the nation is not the highest. For us the highest is socialism, communism." And here you see that socialism is used as a synonym for communism.

We, as Americans, believe that our nation comes first. But the Communists, in as clear language as one can expect to find anywhere, say that for them the nation is not the highest. And the natural sequence is that for them the highest is the Communist International which, as has been pointed out over and over from this witness stand and from the books, is committed to the overthrow of our government by force and violence.

This is simply a criminal trial and a trial for Sedition. These books are not books in the sense of reading books; they are documents. In many criminal trials, members of the jury, documents are introduced to show the intention of the accused. Letters, diaries, memoranda are introduced that reveal the intention, the purpose and the objects of the accused concerning a given course of action. And whether the documents are hand-written, printed or photostated is immaterial; it doesn't make a bit of difference [fol. 2547] so long as they expose the underlying intention of the defendant, the evidence is material and proper.

And so, members of the jury, all this printed material in the form of books, pamphlets, leaflets and newspapers are the exhibits, the evidence which points unmistakably, irrefutably and conclusively to the fact that Steve Nelson advocated sedition and overthrowing our government by force and violence.

In speaking of the excerpts which the Commonwealth submitted to you from these books, Nelson said yesterday that our interpretation is wrong; that the newspapers are wrong; that the courts are wrong; that the judges are wrong; that everybody is wrong but Herbert Aptheker. Nelson actually made that astounding statement, everybody is out of step in the United States but Herbert Ap

theker: And I will tell you about Herbert Aptheker a little later on.

We will come back to these seditious books a little later on, but let us now take up some of the flesh-and-blood witnesses who came here and told you about Steve Nelson. They know Steve Nelson, they worked with him. Cvetic, who was assigned by the Government of the United States for nine long years to find out what this Communist Party [fol. 2548] meant, he knows Steve Nelson. I will come to the testimony of Mr. Cvetic in a little bit.

Paul Crouch knows him. Patterson knows him. White knows him. These four men were with Nelson while he taught revolution, while he planned revolution, while he fomented revolution. And the testimony of these eye witnesses, members of the jury——

Mr. Nelson: I object to that.

Mr. Cercone:—was neither contradicted nor denied.

Mr. Nelson: Just a minute. I would like to know what evidence was brought out here that I was plotting revolution anywhere, by any witness—even by these paid stool-pigeons, Your Honor. As far as I recall, there was not even a mention of that even by these paid stools.

The Court: Well, I will rule on it in this fashion, that any evidence concerning that is not involved here except for one reason: To show intention in using any of these books. [fol. 2549] Mr. Nelson: But even remotely, there was none of that evidence, was there.

The Court: I don't recall that there was any direct evidence.

Mr. Nelson: Then why don't he shut up on this question?

The Court. He can point out something. If he can, we will permit him to do so.

Mr. Cercone: Members of the Jury, the reason the Commonwealth brought in these witnesses was to show you the kind of a man this Nelson is, the motive and intent he had when he came to Pittsburgh. You can best know this man by knowing something about him and what he did. When you know these things, you know the intent and the knowledge that he had when came here to Pittsburgh.

Now Paul Crouch's reliability cannot be questioned.

Mr. Nelson: NO, no.

Mr. Cercone: He is presently employed by the United [fol. 2550] States Government in helping to stamp out subversive activities in the United States. Paul Crouch knows the Communist Party inside out——

Mr. Nelson: For thirty-four pieces of silver he will sell anything.

The Court: Don't interrupt, Mr. Nelson. You emphasized that point in your address to the jury. If there is any objection, state it.

Mr. Nelson: How can he stand there and say this man's testimony ought to be believed?

The Court: He has a right to say it ought to be believed, the same as you had the right to say all these men are prevaricators and ask the jury to not believe them. So he is within his rights, as you were. Proceed.

Mr. Cercone: Nelson could not bamboozle Crouch either. Crouch was in the Communist organization for seventeen years. And he was one of Nelson's companions in Russia. [fol. 2551] Let me say this, Members of the jury——

Mr. Nelson: I object. That was not testified to, Your Honor.

The Court: There is plenty of testimony here as to your visit to the Lenin Institute.

Mr. Nelson: Not by Crouch.

The Court: I don't recall whether it was by Crouch, by Patterson, or by White.

Mr. Nelson: It couldn't have been. He said he didn't meet me until 1940.

The Court: That may be. I will stand corrected if I am wrong.

Mr. Cercone: When Nelson went to Russia he was no boy. If he is fifty now, he was at least thirty-two then; he was an adult; he was a grown man. And he knew what he was doing, members of the jury. And he went there to be trained to come back here to destroy this government. And we will show you the reasons not only by the witnesses, but by the books.

Crouch knows Steve Nelson like a book. While Crouch [fol. 2552] was in Russia he saw the preparations that were being made by the Communist International organization for the overthrow of the Government of the United States by force and violence.

Mr. Nelson: Your Honor, are you going to permit this stuff that goes back so many years?

The Court: Yes. It is all in evidence, and the District Attorney may comment on it, Mr. Nelson, yes, for the expressed purpose.

Mr. Nelson: When I objected to it, Your Honor, you were going to make a statement relating it to the indictment; now I see it coming out this way.

The Court: I have made the statement that anything prior to the initial date of the indictment, that is two years prior to the date of the indictment, which is August 31, 1948, is only in this case to throw light on your intentions [fol. 2553] in your activities during the period of the indictment, August 31, 1948 through August 31, 1950. The jury has heard that many times, and I will include it in my charge if my explanation now isn't sufficient. Proceed.

Mr. Cercone: Let me read to you some of Crouch's qualifications to testify on the Communist Party and these Communists. Crouch was a member of the National Committee of the Young Communists League; he was head of the Joint Department of the Communist Party League for work in the Armed Forces—the very name of that outfit shows you what it did—it planned the strategy of what to do within the very Armed Forces of our country in carrying out the program of these Communists. Mr. Crouch was representative from the Communist organization to the Young Communists League in Moscow; he represented the Young Communists International to the Red Army on its Tenth Anniversary, and while there in Moscow he was made an Honorary Regimental Commander of the Red Army.

Mr. Nelson: That was not brought out in this trial, Your Honor.

Mr. Cercone: Yes, it was.

[fol. 2554] Mr. Nelson: It was not brought out, I know definitely it was not brought out.

Mr. Cercone: Yes, it was

Mr. Nelson: Show me.

Mr. Cercone: Paul Crouch was a member——

Mr. Nelson: Are you going to allow him to bring in stuff that is not in evidence, Your Honor.

The Court: I will be very happy to check it. Do you have a reference to the page?

Mr. Nelson: All right, show me the page and where he saw me. Show me that page over there. And if you do find it, I'll eat the whole thing in front of this jury.

Mr. Cercone: He said you were in Russia and that Crouch was in Russia.

Mr. Nelson: You said he saw me there. Show it to me.

Mr. Cercone: He was in Russia—I didn't say he saw [fol. 2555] you there.

Mr. Nelson: I'll wait an hour until you dig it up.

The Court: Is there any testimony on the part of Mr. Crouch in connection with this defendant being in Russia, Mr. Cercone, relating to this defendant's activities in Russia?

Mr. Cercone: No. We just mentioned that he was in Russia, Your Honor. That is the main purpose of the thing.

The Court: Crouch was, or this defendant?

Mr. Cercone: Yes, Crouch was.

The Court: Oh, yes, Crouch testified he was there, but he didn't see this defendant there.

Mr. Nelson: He said that I was a Regimental Commander. I dare you to produce that.

Mr. Cercone: Paul Crouch was a member of the editorial [fol. 2556] staff of the Daily Worker, official organ of the Communist Party.

Mr. Nelson: Oh, so you're going to skip it?

Mr. Cercone: We will not. I will find it later.

Those are only some of the posts which Mr. Crouch held in the Communist organization, but they are enough, members of the jury, to show you that when he testifies about the Communist organization he knows what he is talking about. And not one word of this testimony on the positions that Mr. Crouch testified to from the stand has been contradicted or denied by the defense. And don't forget, members of the jury, that since Mr. Crouch left the Party he has kept abreast of all their activities and all their literature and all their moves. Having the wealth of knowledge and experience which he has concerning these Com-

munists, he is eminently qualified to analyze perfectly what they are doing today and what they stand for right today. In fact, that's his vital job for the United States Government today.

Mr. Nelson: For $34.00 a day.

Mr. Cercone: And what does he tell you in his intensely [fol. 2557] sincere effort to bring to the American public the story of the diabolical plan of Steve Nelson and his Communists to destroy our American Way of Life and their attempt to turn it into something strange, something miserable, something totally un-American. Paul Crouch tells you with all the urgency he can muster into his words that Steve Nelson, through his Communist organization, wants to wipe away our one hundred seventy-six years of history, throw it into the ashcan and replace it with Stalin's version of what we Americans should do here.

Yes, members of the jury, Paul Crouch told you more than that. No one in the Communist Party of the United States denies that the Communist Party of the United States was a direct branch of the Communist International from 1919 to 1940. And some of them tried to argue, however, and Herbert Aptheker was one of them, that the Communist Party of the United States disaffiliated itself from the Communist International in 1940. Paul Crouch tells you what happened at that convention. He was there in 1940 and saw Steve Nelson there——

Mr. Nelson: I was not even there.

Mr. Cercone: He was there as one of the national leaders at that time. And Paul Crouch——

[fol. 2558] Mr. Nelson: I wasn't even there.

Mr. Cercone: No, you weren't there——

And Paul Crouch was there, and he mentioned who was there. He said the leading Communists were present, Earl Browder, Jack Stachel, A. Blake alias William Weiner, J. Peters who wrote the manual on organization for the Communist Party and which Steve Nelson quoted from in his school for underground work, Max Bedacht, Robert F. Hall, William Schneiderman, John Williamson, and Gilbert Green. And he tells you that at that convention, members of the jury, in that year, Congress passed a law

called the Voohres Act which required all organizations in this country that represented some foreign government or foreign organization to register with the Attorney General. And the Communist Party didn't want to do that because if they did that they would show their hand, they would reveal that they were an agent for Russia. And so in 1940, members of the jury, they gathered. The Communist leadgrs gathered and they passed a fake resolution to say that they did not belong to the Communist International.

And Earl Browder, who at that time was General Secretary of the Party, with Steve Nelson being present, got up in that meeting and said: "Now we are just passing this resolution so as to get around the Voohres Act, the Act of [fol. 2559] Congress, the Act of the United States Government, so that we don't have to reveal that we are agents."

Mr. Nelson: There is no testimony on that, Your Honor. I challenge you to find it. I challenge you to find it.

Mr. Cercone: You challenge everything. And I'll show you.

Mr. Nelson: Go ahead and find it. You find those words. And if you do, I'll eat this thing right in front of the jury.

Mr. Cercone: I'll read this and see if I am not right about it.

Mr. Nelson: Go ahead and find it.

Mr. Cercone: I'll find it.

Mr. Nelson: Why didn't you prepare for it? You thought you could get away with murder.

Mr. Cercone: Page 11.

Mr. Nelson: What does it say?

[fol. 2560] Mr. Cercone: Shall I go ahead and read the whole thing?

The Court: Read what you want, to justify your position.

Mr. Cercone: "Now, Mr. Crouch ——"

Mr. Nelson: What did Browder say?

Mr. Cercone: I am going to read the whole thing here.

Mr. Nelson: No, sir, I object. I want to know what Browder said.

Mr. Cercone: I am going to read it.

The Court: Objection overruled.

Mr. Cercone: "Now, Mr. Crouch, you stated that you at

tended the special national convention held in 1940 in New York City. Who else attended that convention?

A. Just the members of the Central Committee, the District Organizers, the Editors of the Party Press. Additionally, the elected delegates from each district.

Q. How would you classify that group of people?

[fol. 2561] A. The national leadership of the Party.

Q. In other words, the national leaders of the Communist Party attended that convention?

A. Yes.

Q. Who were some of those members?

A. Some of those members were Earl Browder, Jack Stachel, A. Blake alias William Weiner, J. Peters, Max Bedacht, Steve Nelson, Paul Crouch, Robert Hall, William Schneiderman, John Williamson, and Gilbert Green. Those are some of the major ones.

Q. Is that the Steve Nelson that is the defendant in this case?

A. Yes, sir.

Q. How long did the convention last?

A. Two or three days. I don't remember the exact duration.

Q. And while you were present was the purpose of the convention explained to you?

A. It was.

Q. By whom?

A. By Earl Browder.

Q. And who is Earl Browder?

A. He was the General Secretary of the Communist Party.

Q. Was Steve Nelson present?

A. Yes.

Q. And what was the explanation of Mr. Browder?

A. Mr. Browder's explanation was that, that an act [fol. 2562] called the Voohres Bill had been passed by Congress and that if the Party continued its open affiliation with the Communist International it would require the Party to register as a foreign agent; that to prevent this and protect the legality of the Party it was necessary for the Party to take the formal action of formally voting a resolution of disaffiliation from the Communist Interna-

tional, with the understanding that the real relationship would remain the same as in the past."

Mr. Nelson: You said Browder said that.

Mr. Cercone: You know how to read English.

Mr. Nelson: Wait a minute, it don't say Browder said that; it says Crouch said that. That's my point.

The Court: Mr. Crouch said he was present and that was the explanation.

Mr. Nelson: That is Crouch's interpretation.

The Court: Proceed.

Mr. Cercone: Members of the jury, not a word of that proceeding was contradicted or denied here; that's the [fol. 2563] point. This man makes speeches here now, but why didn't he contradict it on the witness stand? He talks about such great work he did at Scranton and Wilkes-Barre; why didn't he bring witnesses in here to show us how great he was in Wilkes-Barre? We can infer what he was, but we don't know. He tells us what a great man he is. Imagine living under his kind of a government. And he tells us that he did a lot of good work. Did you hear anything about good work on the witness stand, members of the jury? Did you hear one simple little thing that would tell you that he represents a working man? He told you in his opening address that he is a working man, but not one word—not one word—not one little simple phrase from any witness that he even worked for anybody or for anything except the Communist Party.

Matt Cvetic told you that he is paid by the Communist Party, and that's the kind of work he does—goes around undermining the greatness of our country. That's their working man. He talks about freedom of speech—what he means, members of the jury, is: What's the matter with you, people? Let us alone. Don't disturb us while we want to destroy this government. Aren't we free to destroy the government? You want to stop us? What's wrong with you?

That's the kind of a man this Steve Nelson is, and I [fol. 2564] am going to show you, before I am through, just what he is, members of the jury.

Paul Crouch explained over and over again, even on cross

examination—of course, the case took so long that you probably can't remember every word—even on cross-examination he couldn't touch a word of that. And what does that mean, members of the jury? What does that mean? That that was the last time they took any action on separating themselves from the Communist International, which means that they are still a part of that world communist movement to undermine free nations all over the world. That's what it means. Steve Nelson is here working from within, like a termite that will undermine a building, working from the inside. And when his Red Army is ready to come from the outside he'll be in good shape—that's what he thought—he would be in good shape to have this country ripe for the overthrow by the Red Army.

And I will show you, not only by witnesses, members of the jury—let me say something else, you don't have to depend only on witnesses to tell a story. This paraphernalia, this material, these books, speak just as eloquently as any witness that took the stand. I will show you, before I am through with this book, about this innocent man who told you he has a family. I have children too, and I will [fol. 2565] tell you about that too later. And I fought—I don't want to bring it up, but I was in the Pacific for three years. When I think of what this man did in 1941 it is enough to make my blood boil with indignation. If it doesn't, then I don't know world ridicule and contempt of the government.

So that is the evidence on that convention and not a word of it was contradicted or denied by this defendant. He says he represents the working man. If he represented the working man in every way—in any way—I will give him the benefit of the doubt—in any way at all, why didn't he bring a working man in here. I think Pittsburgh is the heart of the working man in the United States.

Mr. Nelson: Sure, how long would he hold a job if I did. How long would he hold a job if I did?

Mr. Cercone: What fakers these Communists are.

Mr. Nelson: Answer that.

Mr. Cercone: What a faker this Steve Nelson is, members of the jury. And I will show you that, too, before I finish.

[fol. 2566] He says: How do we prove he is a spy? Well, we have proved it in a hundred ways.

Mr. Nelson: I object, Your Honor.

The Court: Yes. He is not being charged with being a spy.

Mr. Cercone: Your Honor, I do not mean in the sense that he is a spy, but in spying on the people, the American people. That's what we are talking about.

Mr. Nelson: If you allow this to go in, Your Honor, it is wrong. I am not charged here with that crime.

The Court: I will sustain your objection, and I instructed the District Attorney that you are not accused of being a spy, Mr. Nelson. What more can I do for you?

Mr. Nelson: Well then hold him to it. You tried to hold me.

The Court: If he enters into it again I certainly will hold him to it. If he does, you may make another ob-
[fol. 2567] jection.

Mr. Nelson: He is a lawyer, he ought to know better.

Mr. Cercone: All of the testimony of the Commonwealth is just like a string of pearls, members of the jury; you will see how our case just wraps that man up just as completely as you can, as a full-blooded Communist who is here for the purpose of undermining this Government of the United States and the State of Pennsylvania.

He made a statement yesterday: You show me the people you associate with and I'll show you what you are. How are we going to show you what this man is unless we show you twenty years of his vicious, insidious life here in this country. How can we show you what kind of a man he is unless we bring in witnesses who knew him for twenty years to take the stand and say he does the same things today that he did then, when he was in Russia studying in the Lenin Institute, studying how to overthrow the government, studying how to take over the communications, studying how to infiltrate into the big industries so that when the time comes his men are ready to sabotage the Westinghouse Electric Manufacturing Company, which is the heart of the electrical business that puts out the delicate
[fol. 2568] instruments for airplanes and radar——

Mr. Nelson: I object to this. He is going too far.

The Court: Yes, you are going a little bit far.

Mr. Nelson: I want to know what your ruling is.

The Court: Limit yourself to the facts in evidence, Mr. Cercone.

Mr. Cercone: Your Honor, I am going to base this argument on the telegram from William Z. Foster, and his telegram to Eugene Dennis.

The Court: Limit it to the oral testimony and all the exhibits.

Mr. Cercone: I need only refer briefly at this point, in order to prove that the Communists are sworn enemies of this country and pledged to support Stalin, to the words of Nelson during the period of the indictment: that is, from August 31, 1948 to August 31, 1950, when he over and over [fol. 2569] again kept referring to an outside government as an 'enemy' and that Stalin is the leader of the Communists. And I will come back to that phase, members of the jury.

What else did Paul Crouch tell you about Steve Nelson? So that you will understand this man, what else did he tell you? He told you Steve Nelson was a district organizer of the Communist Party in the San Francisco Bay area during the last war; he was district organizer of Alameda County of the Communist Party of the United States; he was a member of the District Committee for California, Nevada and Hawaii area. Members of the jury, it was during this crucial period in the history of our Nation and our Country. And I will come back later on to that phase of Nelson's activities to show you just what he means here in this country.

What else did Paul Crouch tell you about Steve Nelson? He told you that Steve Nelson's work is infiltrating every phase of American life out there—the trade unions, the CIO and the AFL and the Railroad Brotherhoods, members of the jury, under the leadership of this Steve Nelson and his Communists. Paul Crouch told you that Steve Nelson was one of the Communists who would go from California to New York to confer on the latest directives from the National Board and the World Movement representatives. And that was after these fakers said that they separated [fol. 2570] themselves from the Communist International.

That was after—which show you how deep-rooted they were in this program to overthrow the Government of the United States. And it shows you the direct line this man had, who went to Russia just a few years before that, in his adult life, members of the jury, he knew what he was doing. And I will show you how important this man is in the Communist organization.

And here's Nelson going from California to New York to get directives from the Communist International. And this again establishes what I have said about that convention. What further proof would you need on that tie up, members of the jury? And Paul Crouch told you what that District Committee of the Communist Party did in causing strikes at the North American Aircraft Plant during the time that our own boys needed planes and tanks and war equipment. Hundreds of thousands of boys were killed in Pearl Harbor. But did that mean anything to Steve Nelson? No. As long as he could help Russia, why, he was going to stop those planes, he was going to stop those tanks that were so vitally needed.

Mr. Nelson: You got that for $34.00 a day, when he used to work for $37.00 a week.

Mr. Cercone: That man is worth a thousand dollars a [fol. 2571] day.

Mr. Nelson: Sure, to you.

The Court: You have emphasized that point, Mr. Nelson.

Mr. Cercone: $34.00 a day? That man is worth ten thousand dollars a day to the United States Government.

That's what he did out there. That's what he did out there and it was only early training for him to do what he was going to do in Pittsburgh. Don't you see how carefully Moscow has to pick a man for Pittsburgh, the heart of America, the workshop of America here in Pittsburgh, where the mills are working night and day, and where the production comes out so fast you can hardly believe your eyes. It puts out every need in American life and it comes out in such a great abundance it is one of the most inspiring stories of history of this country—Pittsburgh. So Moscow sends Steve Nelson here because he knows how to take care of that.

And we will show you, members of the jury, that not a word, not a word of Paul Crouch's testimony about this man's activities was contradicted or denied. There are plenty of his men in that organization; why didn't he bring them here?

[fol. 2572] And now we come to another very enlightening phase of this man's life in America—the school, the school for underground work. Members of the jury, don't you know that his men, how they are co-related, how they interrelated their activities, their practical work. They study, they got to build up enthusiasm in the Communist minds; you can't just do it by saying: You go out and do this, or you go out and do that. You got to build it up; you got to teach them; you got to get this mood into them, sabotage, destruction——

Mr. Nelson: I object, Your Honor.

Mr. Cercone: —talk to them about violence, bloodshed.

The Court: Objection overruled. I think he is within his rights.

Mr. Nelson: Where was this talk about violence and bloodshed?

Mr. Cercone: It is mentioned in the books.

The Court: It is the books themselves that he is referring to, Mr. Nelson.

Mr. Cercone: I'll show you.

The Court: That is the interpretation he placed on them.

[fol. 2573] Mr. Cercone: These fakers tell you this Mr. Aptheker—I don't call him a doctor because it is an insult to the doctors, and, in fact, he is not a doctor of medicine anyway. And the thing is this, I read him quote after quote after quote of the material in those books that just reeked with violence, members of the jury, and when I asked him did that mean violence—No. Does this mean violence? No. Does that mean violence? No. Why that man is so distorted and so perverted the American History that I could hardly believe what I was hearing. I couldn't stand it any longer.

He gave you a lot of mumbojumbo about something I could hardly understand, and for him to talk and compare American History with what he is doing is an insult to the intelligence of every American child from the day this

country started. And so they use a man like that faker, who has got that in his blood, to teach other fakers—to teach the other fakers to come into the country, this great country of ours, and you got to give them that bookwork. Just to have alone this business of machine guns and cannons, that is not enough—they got their bookwork. You got to build them up; you got to show them how this can be done. And they have a system on this; members of the jury, one of the greatest systems of deceit and trade unions that mankind ever imagined—boy, are they organized.

This Steve Nelson has a headquarters in Pittsburgh for the entire Western Pennsylvania. And he directs that whole thing, sees that the people get the books; he sees that they [fol. 2574] get this magazine; he sees that the United States is criticized; he sees that the Soviet Russia is praised to the skies. Why when you walk into that Steve Nelson's headquarters you would think you are in a part of Russian soil, members of the jury. When you walk into a man's business house in America here, if he is dealing in toys, everybody about him is dealing in toys—you have colored pictures of toys. If the man is working in the clothing business, if you go in to see that man's shop you will see hats and coats and suits and shoes. But when you walk into Nelson's headquarters you see Russia.

What do they teach in this underground school? Some of the most vicious things, so that you could hardly believe your eyes when you read it. He told you that they used the basic work, the basic work of this whole program, and that is State and Revolution. And just that book alone is enough to convict this man—just that book alone.

While I am on that, before I forget, these books are only covered in one count of this indictment, and there are twelve counts in the indictment. There is only one count that covers the books. There are eleven other counts that have to do with the rest of this stuff. And these books, when you come to those books, we should have a lot of other books, including "Soviet Spirit" and "You cannot jail these Ideas," "Twilight of World Capitalism"—all these other books, to show you how they feel and what they are doing here.

And they have used these books to sort of compliment and

fit in very cleverly—very, very clever these people—very [fol. 2575] clever, but not clever enough for the United States. They are clever for Russia, because they are trained that way. They got that kind of a mind and they got that kind of a slant—un-American as can be.

So what do they teach in this school during the war years? During the year this man said he went to Spain and fought. Why didn't he fight here for the United States when we were at war? And everybody knows what the fight in Spain was about; it was the fight of the Communists to overthrow the government of Spain. But they failed; they got beat; they got a good shellacking. But that is why Steve Nelson went there, and don't let him fool you.

All right, so they read here the "Struggle Against Imperialist War" and the "Task of the Communist." They tell you right there what has got to be done. And Crouch told you. I didn't have to tell you. Crouch told you he was there, he was one of the teachers. He told you Nelson was one of them; that the war between the Soviet Government and the United States is inevitable, it has got to come. That's the way they talk about it. They comment that that war has got to come; we are going to do everything in our power to beat the United States. That's all it is. Can't you see the whole world program of the Communists, to get in every country, to weaken those countries, to break down the morale, to make them lose confidence in their own organization, to make them lose confidence in themselves, to make them lose confidence in America; so when it comes time, the [fol. 2576] people are so confused and so separated in ideas that they don't know what they are doing. And then with the work they do; in practically all the industries, in the coal mines, in the steel mills, in the electrical shops, what shape would the country be in if there was a way they could get away with it.

And Crouch told you that. And you wonder why we bring that witness in. I'll tell you why we did bring him in, even though it doesn't apply to the period of the indictment. How are you going to find out what man stands for unless you know something about him? That is why we brought Paul Crouch in here, to expose, to unmask, to re-

veal this Communist, members of the jury. We have got to do these things.

It is wonderful, they say why waste all this time trying these people. Well you have to do it, it is the American way to do it. And it is wonderful for everybody to know——

Mr. Nelson: That is the Nazi way to do it.

Mr. Cercone: I would just hate to be tried in his country. There would be no trial, there would be no trial whatsoever. We do all these things because it is the American way and the only way.

He says "frame-up". Did you see any frame-up here, members of the jury? Have you seen any frame-up? He was arrested by an arrest warrant. That is the way anybody is arrested in the United States. He was arrested by an [fol. 2577] arrest warrant, that's all. They seized the headquarters and it was seized by a search and seizure warrant signed by the Court. If you seize anything, no matter where you seize it, you seize it that way, by a search and seizure warrant. You can't do it any other way.

And he had a preliminary hearing right in this very court house. This man came up here with two attorneys, and now he tries to tell you he can't get attorneys.

Now the case was heard before the Grand Jury, and don't let this man mislead you. Harry Allan Sherman was not at the Grand Jury. If you study the Grand Jury record you will see that he didn't testify.

Mr. Nelson: You're a plain liar.

Mr. Cercone: He didn't testify at that time.

The Court: All right, gentlemen——

Mr. Nelson: I see his name on the indictment here. What name is this here?

Mr. Cercone: He didn't testify.

Mr. Nelson: Read that.

Mr. Cercone: There are a lot of names there, that don't mean a thing, because everybody doesn't testify.

[fol. 2578] The Court: Limit yourself to remarks to the jury. Be seated, Mr. Nelson.

Mr. Nelson: Isn't it true that Sherman's name is on here?

The Court: Yes, his name is on the indictment.

Mr. Cercone: That doesn't mean that he testified. I can bring him in here and show him to you. The Grand Jury heard the case and indicted him.

Members of the jury, how do you indict anybody? In the American system, one who has done wrong is indicted in that same way. And they didn't do it any other way. Is that a frame-up?

And then they call in Ben Carreathers, and I didn't bring the record in here because I manufactured it. That is the established fact, that is his history in the case. If the man was found guilty, what can I do about that? And I had to show it. I didn't know that man from a cake of soap when he took the stand. We searched through the records and found out that he was convicted of perjury. I didn't have time to look at a lot of papers and take up a lot of time. I think you will recall the time I had fumbling around with those papers because I didn't know what was in it. I don't care if it was one man or five hundred men, [fol. 2579] he was convicted on that charge. All I know is that Ben Carreathers was convicted on four separate verdicts for perjury. And perjury means that he testified falsely under oath, after taking an oath. He testified falsely and that is the only reason he got that. They put the man on the witness stand, I didn't. I didn't call him here.

They said it is a frame-up; they said that was a frame-up; they said the New York case was a frame-up. Well, any time you arrest a Communist it is a frame-up to them.

He talked about being sick. I have had an infected throat for eight weeks and I can hardly talk.

What else did Paul Crouch tell you? He told you that the Communists only consider one country as their father country, and here they are living in America. They talk about Russia being such a great country; why don't they go over there and live. Yet here he is, and the only purpose for his being here, if Russia is so great over there, the only purpose why he is here is to bring in the Russian system of dictatorship. Can't you see that it is as clear as day. They praise Russia, but they are here. Why are they here? Because they want to bring in the same kind of

a system here. It is as clear as day. How often have you been told that? It is not secret. And before I am through, members of the jury, I will show you that this man here is one of the most insidious, one of the most prodigious Communists of all.

And they are trained to be disloyal to our union. They were trained while the boys in Pearl Harbor were fighting, while all the boys were fighting in the Pacific, [fol. 2580] getting killed at Guadacanal and Tarawa and all the islands there, in the Philippines, Okinawa. And, what were these Communists doing? They were planning destruction of our country.

Mr. Nelson: We have one of the greatest heros from that one school, and he was killed out there.

Mr. Cercone: If he was there, it was part of the infiltration, just an accident that he got killed. Because they have a plan of getting men in the service. They planned that. They have a man, a Communist get in the Army so that he can cause disruption there, dissatisfaction, anything. You get a Communist and they can talk, they can talk a streak. And if they talk to you long enough you might say: Well, there is some sense there. But what they are talking about isn't what you are listening to; they are lying and it is for some other purpose.

Just twenty of them can cause a lot of disruption and a lot of trouble. They tell you anything, and there are a lot of things they could say.

We are not criticizing free speech here, members of the jury. This is the only country, probably, where [fol. 2581] mankind has the freedom of speech that we have. You have a right to say anything you want; you can say it at any time you want; you can go to the highest mountain peak and speak, but don't speak about the overthrow of the Government, don't talk about destroying the thing that we love.

Another thing this defendant said that I can't write my own speeches. Well, I will tell you, I was a staff officer of twenty-four LST's and I made definite and detailed reports, and in the Navy in the Pacific your record had to be pretty good. I think I can do my own writing. And I happen to

be Chairman of the Board of Education and I do a lot of writing there, too.

May we have a recess here, Your Honor?

The Court: Yes, if you feel you need one. We will recess until 1:15.

(Court recessed at 11:50 A.M. to 1:15 P.M. of the same day.)

[fol. 2582] Tuesday, January 29th, 1952.

Afternoon session.

By Mr. Cercone:

Members of the Jury, just before the lunch recess I was talking about the testimony of Paul Crouch. And you recall he said over and over again in 1941 in the class work and in the meetings of the District Committee and District Organizers' work the United States was always the enemy. And he said in connection with the courts—they even went this far—to show how they have everything planned, very carefully planned—"In connection with the courts, the communists are taught to regard them as their enemies; that all justice is class justice, that the Soviet Union has working class justice, proletarian justice where those opposed to communism are imprisoned and shot to death; that in the United States and other capitalist countries, the courts are regarded as enemy government apparatus, and that when members of the organization are before the courts, they should regard them as enemy institutions and take advantage of them, make propaganda speeches and carry on propaganda; that in the courts the communist is to make speeches as far as possible, presenting as much of the party's agitational material as he can."

Crouch testified then after I examined him you recall [fol. 2583] for several hours and he went through his entire experience with the communists, I asked him, "From all you hear, from all that you have seen about the Communist Party, and all that you have heard, all that you have seen them do, and all the books they distributed and studied,

and guide to action, just what is the purpose of the Communist Party in the United States——

Mr. Nelson: I understood the Communist Party wasn't on trial.

The Court: It's motives and policies——

Mr. Nelson: Then the Party is on trial. You can't separate the two.

The Court: That's right.

Mr. Nelson: And yet the jurors were told when they were selected that the Communist Party is not on trial.

The Court: You are indicted for sedition and sedition [fol. 2584] includes membership in a Party, that policies are such, and to that extent we must inquire and we have been inquiring as to the policy and aims of the Communist Party of the U.S.A.

Mr. Nelson: So the statement to the jurors was just subterfuge, wasn't it?

The Court: No. The jury was told and it is told now and will be told that membership alone in the Party is not sufficient to justify a conviction.

And Mr. Crouch said that the aims and policies of the Communist Party is to build up its organization in such a manner so that it's members can bring about a condition favorable to a violent revolution, and when those conditions are achieved to overthrow by armed insurrection with the aid of the Red Army of the Soviet Union the Government of this Country, and of destroying the American Government and all it's institutions which include the executive, the legislative, and the judicial and establishing in United States a Soviet America, a Soviet Government. Establish in the United States a dictatorship that is backed up by the Red Army until all resistance is crushed and the Soviet Union of Russia is victorious. And Nelson has the colossal bra[fol. 2585]zenry to say that he is for peace, and that he is for the negroes, and that he is against unemployment. And remember, Ladies and Gentlemen, not one word of Crouch's testimony concerning those things were contradicted or denied.

Now, let us turn to Charles White. You remember that gentlemanly witness that spoke very soft and very gentle

and told you slowly and in his own way what he knew about the Communist Party. He told you that for ten years now he has been working for the New York Subway System, six years of which he operated a one-man trolley car. And for the last four years he is now at a desk for the New York Subway System.

He told you what he took part—I am not going through all of White's testimony as thoroughly as I did Crouch. He told you plenty of things. He told you that his eyes were not really opened up until he went to Russia. You see that's where the training ground is. Members of the Jury, when I talk about Russia I am not talking about the Russian people. This is the Soviet Union, the savage few that make so much trouble in countries, in all countries. You find them in all countries,—not the Russian people. The Russian people are good. They are people like people all over the rest of the world. But it is the savage few that are working this system through and saturating and putting this evil into the people's minds. And he told you his eyes [fol. 2586] weren't opened until he went to Russia, and he saw there what was going on. And what books were studied in Russia? The same, most of the same books that were studied here, the same line of thought. And besides that he studied the theory and practice of organizing armed rebellion, the strategy and tactics of armed uprising. He was taken out on to the range and instructed by Red Army officers. And you remember Patterson said one had just returned from China, a Red Army officer, and there they were taught how to seize a city.

Now, don't forget, Members of the Jury, they are taught how to seize a city, not a Russian city, these are communists in America that they are teaching, to teach how to seize an American city. That is why they send them here—to capture an American city, to capture the communication system first. You see they are very thorough about this thing. You capture the communication system first, then the railroads and the buses and the street cars and the aircraft and the waterways. And then you start on the telegraph and the telephone system and the mails. And, of course when you seize communication systems in a country that already has a government, what does that mean? That

means bloodshed has got to flow in the very waterways which they are going to capture. And this man Steve Nelson has the effrontery to sit here and talk about peace.

And he made speech after speech here how his Party helped the negroes. Did he learn in Russia how to better [fol. 2587] the American way of life by using explosives or how he was going to plant the red flag of Communism——

Mr. Nelson: I say that the court is allowing him to bring this prejudicial stuff in in order to prejudice jurors by material brought in by paid witnesses whose job it is to get up and lie, get thirty-four dollars a day, and he is using that stuff as evidence. It is junk, Your Honor, it is not evidence.

The Court: It is evidence. Whether it is believable evidence is for the jury to say, not you to say Mr. Nelson, or Mr. Cercone. He is arguing that it is true and from that viewpoint he is saying these things to the jury, and he is privileged to do so so long as he limits himself to what the witnesses said and touched on.

They went through that entire school and told you how they were trained and taught that Moscow demanded that Communists in the United States were to disorganize the [fol. 2588] economy of the country; and by doing that they were to join labor unions and raise issues of all kinds. But the worst thing, the worst thing of all that came out in White's testimony is this manner in which the communists were going to create the kinds of dissatisfaction among our people. Listen to what he said here: "They were taught to set up a separate Black Republic." You recall how Mr. White told you that for the sole purpose of causing a great deal of trouble and not to settle anything, the Communists were to particularly emphasize the right of the negroes in the South; the Communists were to try to get the negroes to separate from the United States and set up a separate Black Republic. This was called, "Self determinism"—the program for separating of fragmentizing in the South and setting up a Black Republic so designed to cause as much bloodshed as possible and disunity in the country. And, Members of the Jury, the defense hasn't produced one word of credible testimony to contradict or deny that pro-

gram. Because they can't. It unmasks once and for all their hypocritical assertions that they are trying to help the negro people.

They have only one purpose, Members of the Jury, and that is to separate us from each other. What would that mean? That would mean that the American negro would have to give up his citizenship if he had to set up a separate Black Republic, and any true American would die before he would give up his American citizenship. But [fol. 2589] that's what they tried to do, Members of the Jury.

No, no Steve Nelson or any of his revolutionaries is going to cause dissension among Americans. The negroes are respected and honored in our community and in the United States in a manner that no Communists could ever dream of. Right here in this courthouse we have a negro, Judge Homer S. Brown, learned and brilliant. When he served in the House of Representatives, Members of the Jury, he was voted by the newspaper reporters as the most valuable representative in the House of Representatives during his term, and he served a long time.

Mr. Nelson: And your party refused to name him to Congress.

Who is it that does not thrill to the name of Jackie Robinson, the baseball star of the Brooklyn Dodgers, and whose exploits on the diamond thrill and fire the imagination of every young boy in America. And Joe Louis, who held the world's heavyweight championship for a longer time than any fighter in the ring——

Mr. Nelson: Is this in the evidence, Your Honor?

[fol. 2590] . . . and who has written a record of clean, fisted prowess that could never be duplicated.

The Court: Limit yourself to the evidence.

It is well known, Members of the Jury, the great and famous people in America.

And of all of Nelson's mouthings about what he would do, let me show you what he and his fellow communists really think. In the Political Affairs of August, 1950—it has to do with the spurious appeal for peace and it urges

a campaign for signatures to the so-called peace petition. And they say this: "The campaigns secure the signatures of millions of trade unionists and unorganized workers, farmers, negro people, intellectuals . . ."—they segregate the language there, they call it the "Negro People" and then they say "Intellectuals"—and I don't think this happens to be just a slip because William Z. Foster, the National Chairman, says the same thing in his Twilight of World Capitalism, it mentions the same thing.

And Mr. White told you while in the presence of everyone at that school in Moscow, including this Steve Nelson, they were instructed what their part was in the United States in the event of war between the United States [fol. 2591] and Russia. There is that war between the United States and Russia again. Nobody talks about it but the Communists.

What are they instructed to do? Number 1: They are to regard the United States as the enemy. Number 2: They are to turn their guns against the armed forces of the United States and disrupt the military organizations. Number 3: They are to cause diversion so that movement of the countries' supplies will be cripped and military operations thus hampered. Number 4: They are to call a general strike and in organizing this strike they will have five points of concentration in this country, and Pittsburgh is regarded as the most vital of all. And Steve Nelson was absorbing all those lessons very well. Cleveland was so important because of its potential tank and manufacturing plants. And these students were particularly instructed on water front concentration—how to seize the ports. And, Members of the Jury, not a word of all that was contradicted or denied by the defense. . .

And how did he try to attack Mr. White's testimony? Asked him how much he is being paid to come here. Members of the Jury, the Commonwealth can't expect people to come from every part of the nation to testify and not see that they are recompensed. White says he had to give up his pay in New York. After all a man in his position who is probably getting a very good salary can't come here [fol. 2592] and can't go to other trials where he is subpenaed for nothing. For anybody to say so and to bring

that up as an argument against his credibility is certainly insulting the intelligence of any person. And what did White tell you? That when he testified in 1939 he didn't even get carfare. He had to go there on his own expense. When he testified in 1947, he received five dollars a day with which he had to pay for food and hotel. In 1948 he testified in that immigration case—Nelson brought this all out in cross examination—that he received in all twelve dollars and nothing for his expenses. In the famous Isler case he testified at length and it cost him two hundred dollars——

Mr. Nelson: Sure, he was paid by the Government.

He had to stand around and wait to be called as a witness. And sometimes when a witness comes from another place he may not be called for two or three days. He had to wait until witnesses are finished. It cost him two hundred dollars. Mr. White tells you that. And adding it all up, Mr. White told you he lost money in testifying, but he comes here to do his duty, Members of the Jury. And Charles White fought in World War II to preserve the things that he knows are valuable.

And then you heard Leonard Patterson and he told you the same thing about that Russian school. And he told you [fol. 2593] of Nelson's activities, how he stayed over and studied other things. And Patterson told you—here is an interesting thing—Patterson, he was chairman on the Negro Commission of the Communist Party of the United States. He knew what they were doing, and when he realized it he got out of there. What did he say? You remember when he leaned forward when I asked him why he left the Communist Party and he leaned forward—and he wanted you to get that message—that it was no good for the people And he meant his people and all people because he knows what the Communist Party stands for, Members of the Jury. And he knows because they put him into that kind of work and tried to push that down his throat and when they tried to embarrass him. There is a very significant thing that occurred there. This Nelson tries to tell you how much he is for the negro people and yet Patterson told

you that on that ship on the way to Moscow, Nelson and the rest showed their superiority complex—

Mr. Nelson: I wasn't even on that ship.

—toward the negro boys—

Mr. Nelson: That's his story.

—and the boys resented that very much and they presented [fol. 2594] that as a grievance in Moscow. Here is a man that he is going to help anybody. He is not going to help anybody in America.

Mr. Nelson: He told you he worked for seven cents an hour and now it is thirty-four dollars a day.

And Patterson told you that he learned the ABC's of Communism from the bottom to the top which means the overthrow of the Government, the complete smashing of the American way of life which naturally includes everything that we stand for and the setting up of a dictatorship of the proletariat.

How did he try to break down his testimony? He tried to embarrass him about his private life, wanted to make it seem as though his married life there was something wrong with it—that he wasn't a credible witness. And he talks about being so considerate of the peoples. And he told you this. They were taught and encouraged and that they would become the heroes of the Fifth Column. They were told that so long as they had industry and the water front organized that they could cripple American war production; that they would be in the strategical point and position to demoralize and confuse the American people. And Patterson told you that and there wasn't one thing that was contradicted or denied about all of that. Members of the Jury, [fol. 2595] And so the defendant comes to the City of Pittsburgh knowing that Pittsburgh is the No. 1 place in the United States, knowing how careful Moscow has to choose that agent. They watched Nelson all through his years. In fact, he attracted their attention when they invited him over to train and then they followed him all the way to California and these other positions he held—and he was the man they chose to come here to Pittsburgh.